

Emma G. Powell to be postmaster at Montezuma, Ind., in place of Albert Jerome. Incumbent's commission expired February 12, 1912.

KANSAS.

W. S. Lyman to be postmaster at Lewis, Kans., in place of James Sutherland, resigned.

MONTANA.

J. Z. Clem to be postmaster at Virginia City, Mont., in place of James H. Powell, resigned.

NEBRASKA.

Joseph F. Hejtmanek to be postmaster at Dodge, Nebr., in place of Joseph F. Hejtmanek. Incumbent's commission expired May 26, 1912.

NEW JERSEY.

Harry E. Frey to be postmaster at Stewartsville, N. J., in place of Harry E. Frey. Incumbent's commission expired March 31, 1912.

Andrew Mercer to be postmaster at Lodi, N. J., in place of Andrew Mercer. Incumbent's commission expired February 4, 1912.

NEW MEXICO.

Adelina Jaramillo to be postmaster at Fort Sumner, N. Mex., in place of William H. Parker.

NEW YORK.

Charles D. Randles to be postmaster at Ogdensburg, N. Y., in place of Samuel H. Palmer, deceased.

OHIO.

C. A. Burke to be postmaster at Johnstown, Ohio, in place of Sherwood Blamer. Incumbent's commission expired May 28, 1912.

OREGON.

J. Ralph Woodford to be postmaster at Medford, Oreg., in place of Alonzo M. Woodford. Incumbent's commission expired March 21, 1912.

TEXAS.

Thomas S. Hunter to be postmaster at Celina, Tex., in place of Luther B. Johnson, resigned.

VIRGINIA.

Beverly A. Davis to be postmaster at Rockymount, Va., in place of Beverly A. Davis. Incumbent's commission expired March 10, 1912.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 7, 1912.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

Cadet Clement Joseph Todd to be third lieutenant.

RECEIVERS OF PUBLIC MONEYS.

Nazario V. Gallegos to be receiver of public moneys at Tucumcari, N. Mex.

Harold Hurd to be receiver of public moneys at Roswell, N. Mex.

Enrique H. Salazar to be receiver of public moneys at Fort Sumner, N. Mex.

Manuel Martinez to be receiver of public moneys at Clayton, N. Mex.

Benigno C. Hernandez to be receiver of public moneys at Santa Fe, N. Mex.

REGISTERS OF THE LAND OFFICE.

Royal A. Prentice to be register of the land office at Tucumcari, N. Mex.

Manuel R. Otero to be register of the land office at Santa Fe, N. Mex.

Thomas C. Tillotson to be register of the land office at Roswell, N. Mex.

Charles L. Hunt to be register of the land office at Clayton, N. Mex.

Charles C. Henry, to be register of the land office at Fort Sumner, N. Mex.

POSTMASTERS.

ARIZONA.

Fred E. Cadwell, Douglas.

COLORADO.

Ella New, Delta.

CONNECTICUT.

Frederick B. Crofutt, Danbury.

FLORIDA.

Alexander McDougall, Tallahassee.

GEORGIA.

John S. Brown, Locust Grove.

Fred Feltham, Boston.

George L. Liverman, Bainbridge.

Charles D. O'Kelley, Grantville.

Terrell C. Peterson, Fort Gaines.

Henry G. Roberds, Villa Rica.

Albert N. Tumlin, Cave Spring.

NEW MEXICO.

Vincent B. May, Las Cruces.

John Pfluger, Sante Fe.

OHIO.

William C. Hughes, New Straitsville.

Lewis Nikolaus, New Matamoras.

William J. Weirick, Loudonville.

PENNSYLVANIA.

Daniel M. Bennett, Bridgeville.

John S. Edmundson, Duquesne.

UTAH.

E. W. Redmond, Eureka.

HOUSE OF REPRESENTATIVES.

FRIDAY, June 7, 1912.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who hast ever been our refuge and our strength, without whom we are nothing, continue Thy blessings that these Thy servants may be guided in their deliberations by Thy counsels, that the interests which they represent may be subserved in accordance with the eternal fitness of things. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

IMPEACHMENT OF CORNELIUS H. HANFORD.

Mr. BERGER. Mr. Speaker, I rise to a question of the highest privilege and also of the greatest importance. By virtue of my office as a Member of the House of Representatives, I impeach Cornelius H. Hanford, judge of the western district of the State of Washington, of high crimes and misdemeanors.

I charge him with having annulled, on May 13, 1912, in violation of the Constitution and on a frivolous charge, the naturalization papers of Leonard Oleson.

I charge him with having been guilty of a long series of unlawful and corrupt decisions.

I charge him with having issued in the collusive suit of Augustus Peabody v. The Seattle, Renton & Southern Railway, in August, 1911, an injunction in the interests of the company and against the interests of the citizens of Seattle, flagrantly in violation of justice and law.

I charge him with being an habitual drunkard.

I charge him with being morally and temperamentally unfit to hold a judicial position.

In accordance with former proceedings before the House of Representatives in like cases, I submit the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 576.

Resolved, That the Committee on Judiciary be directed to inquire and report whether the action of this House is necessary concerning the official misconduct of Cornelius H. Hanford; whether he has been in a drunken condition while presiding in court; whether he has been guilty of corrupt conduct in office; whether his administration has resulted in injury and wrong to litigants of his court and to others affected by his decisions; and whether he has been guilty of any misbehavior for which he should be impeached.

That this committee is hereby authorized and empowered to send for persons and papers, to administer oaths, to employ, if necessary, an additional clerk and stenographer, and to appoint and send a subcommittee whenever and wherever necessary to take testimony for the use of said committee.

That the subcommittee shall have the same powers in respect to obtaining testimony as are herein given to the said Committee on Judiciary.

That the expenses incurred in this investigation shall be paid out of the contingent fund of the House.

Mr. BERGER. Mr. Speaker, I move that this resolution be referred to the Committee on the Judiciary.

Mr. McCALL. Mr. Speaker, I am not sure that I correctly got the reading of the resolution, but as I heard it it declared that the judge was guilty of misconduct. I think the word "alleged" should be inserted before the word "misconduct."

The SPEAKER. As the Chair understood, that was a preliminary statement by the gentleman from Wisconsin.

Mr. McCALL. Mr. Speaker, I suggest to the gentleman that this is a resolution to have the conduct of Judge Hanford inquired into.

The SPEAKER. That is it.

Mr. McCALL. Mr. Speaker, I would ask that the first part of the resolution be again reported.

The SPEAKER. Without objection the Clerk will again report the resolution.

There was no objection, and the Clerk read as follows:

Resolved, That the Committee on Judiciary be directed to inquire and report whether the action of this House is necessary concerning the official misconduct of Cornelius H. Hanford—

Mr. McCALL. Mr. Speaker, that is the portion of the resolution to which I referred—"concerning the official misconduct" of this man. I would suggest that it would be in keeping with the rest of the resolution to have the word "alleged" inserted before the word "misconduct."

Mr. BERGER. Mr. Speaker, I would be very glad to accept that amendment.

Mr. MANN. Mr. Speaker, the matter is not open for amendment, as I understand. The gentleman from Wisconsin merely asks to have the resolution referred to the Committee on the Judiciary.

Mr. BERGER. That is right, and that committee can amend it if it sees fit.

Mr. MANN. The gentleman can ask unanimous consent to change his resolution.

Mr. CLAYTON. Mr. Speaker, I think it is unnecessary to amend it. The statement made by the gentleman from Wisconsin [Mr. BERGER] before he introduced the resolution is in accordance with the practice which has obtained in like cases heretofore, and the resolution follows, as near as may be, resolutions in like cases heretofore referred to the Committee on the Judiciary. The Committee on the Judiciary will not take the gentleman's statement on the floor, nor the resolution itself, in any broader sense than as an allegation, and will treat it as such. Such resolutions and such statements have always been treated as allegations or charges only; not as proof. Therefore, it seems to me, while there could be no objection to putting in the word "alleged," as suggested by the gentleman from Massachusetts, it is unnecessary so to do; but if the gentleman from Massachusetts insists upon it, let the gentleman from Wisconsin ask for unanimous consent to insert that word.

Mr. BERGER. Mr. Chairman, I ask unanimous consent to insert the word "alleged" before the word "misconduct."

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to insert the word "alleged" in the resolution at the place suggested. Is there objection?

There was no objection, and it was so ordered.

Mr. CLAYTON. Mr. Speaker, I suggest a pro forma amendment to the resolution. The resolution as read refers to "the Committee on Judiciary." The word "the" is omitted before the word "Judiciary," as I heard the resolution read. That committee is ordinarily and correctly designated as "the Committee on the Judiciary."

Mr. BERGER. Very well.

The SPEAKER. The gentleman asks unanimous consent to insert the word "the" prior to the word "Judiciary." Is there objection?

There was no objection, and it was so ordered.

Mr. OLMSTED. I merely wish to suggest that the resolution calls for an investigation and ascertainment of whether or not this judge has been drunk upon the bench. I do not understand any allegation has been made that he is or ever was drunk upon the bench.

The SPEAKER. Why, the gentleman from Wisconsin [Mr. BERGER] in his preliminary remarks alleged that he was drunk most of the time.

Mr. BERGER. Habitually drunk. I do not know he is drunk all the time. He is charged with being an habitual drunkard.

Mr. OLMSTED. He might have sober intervals. Does the gentleman charge him with being drunk upon the bench?

Mr. BERGER. Yes, sir.

The SPEAKER. The question is on the motion of the gentleman from Wisconsin to refer the resolution to the Committee on the Judiciary.

The question was taken, and the motion was agreed to.

PENSION BILLS.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 18712, to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Alabama asks unanimous consent to discharge the Committee on Pensions from the further consideration of the bill, disagree to the Senate amend-

ments, and ask for a conference. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 18712) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to wives and dependent relatives of such soldiers and sailors.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, reserving the right to object, how many of such bills does the gentleman desire to offer?

Mr. RICHARDSON. I have in my hand four, and we can get rid of them quickly.

Mr. FITZGERALD. Will there be any controversy?

Mr. RICHARDSON. No.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 20628, with Senate amendments, and ask to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Alabama asks unanimous consent to discharge the Committee on Pensions from the further consideration of the bill, to disagree to the Senate amendments, and ask for a conference. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 20628) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to wives and dependent relatives of such soldiers and sailors.

The SPEAKER. Is there objection. [After a pause.] The Chair hears none, and it is so ordered.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 22867, with Senate amendments, to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Alabama asks unanimous consent to discharge the Committee on Pensions from the further consideration of the bill, to disagree to the Senate amendments, and ask for a conference. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 22867) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to wives and dependent relatives of such soldiers and sailors.

The SPEAKER. Is there objection. [After a pause.] The Chair hears none, and it is so ordered.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 23515, with Senate amendments, to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Alabama asks unanimous consent to discharge the Committee on Pensions from the further consideration of the bill, to disagree to the Senate amendments, and ask for a conference. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 23515) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to wives and dependent relatives of such soldiers and sailors.

The SPEAKER. Is there objection. [After a pause.] The Chair hears none, and it is so ordered.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 22194, with Senate amendments, to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Alabama asks unanimous consent to discharge the Committee on Pensions from the further consideration of the bill, to disagree to the Senate amendments, and ask for a conference. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 22194) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to wives and dependent relatives of such soldiers and sailors.

The SPEAKER. Is there objection. [After a pause.] The Chair hears none, and it is so ordered.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 23765, with Senate amendments, to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Alabama asks unanimous consent to discharge the Committee on Pensions from the further consideration of the bill, to disagree to the Senate amendments, and ask for a conference. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 23765) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain

soldiers and sailors of wars other than the Civil War and to wives and dependent relatives of such soldiers and sailors.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The Chair announces the following conferees on all these bills: Mr. RICHARDSON, Mr. DICKSON of Mississippi, and Mr. WOOD of New Jersey.

REGULATION OF RADIO COMMUNICATION.

Mr. ALEXANDER. Mr. Speaker, I desire to call up the bill S. 3815, and ask that the House insist on the House amendments and agree to the conference asked.

The SPEAKER. The Chair lays before the House a Senate bill with House amendments, and the gentleman from Missouri asks that the House insist on its amendments and agree to the conference asked by the Senate. The Clerk will report the title of the bill.

The Clerk read as follows:

S. 3815. An act to amend an act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I desire to ask the gentleman if this bill goes to conference whether it is the intention to enlarge the scope of this bill or merely to arrange the differences between the two Houses?

Mr. ALEXANDER. I have no advice as to the intention of the Senate conferees, but there is no intention on our part to enlarge the scope of this bill.

The SPEAKER. The question is on agreeing to the motion.

The question was taken, and the motion was agreed to.

The SPEAKER announced the following conferees: Mr. ALEXANDER, Mr. HARDY, and Mr. HUMPHREY of Washington.

COTTON SCHEDULE.

Mr. PAYNE, from the Committee on Ways and Means, presented the views of the minority on the bill H. R. 25034, to reduce the duties on manufactures of cotton, for printing under the rule.

[House Report 829, part 2, Sixty-second Congress, second session.]

REDUCTION OF THE DUTIES ON COTTON MANUFACTURES.

Mr. PAYNE, from the Committee on Ways and Means, submitted the following as the views of the minority, to accompany H. R. 25034:

This bill in so far as it relates to duties on manufactures of cotton is identical with the bill which was vetoed by the President a little less than a year ago. A brief reference to its history compels the belief that it is now reported by the majority without any expectation or desire that it shall be enacted into law.

In the Sixty-first Congress the Democratic membership of the Ways and Means Committee unanimously joined with the Republican members of that committee in reporting a bill to create a tariff board, whose duty it should be to make a thorough investigation and furnish the necessary information on which to base an orderly and scientific revision of tariff schedules. This bill was passed by the House by a large majority and concurred in by the Senate with an immaterial amendment. In the closing hours of the session it was defeated by a filibuster led by a Democratic Member. By a provision in the sundry civil appropriation bill, however, a tariff board was created and proceeded to the performance of its duties.

Notwithstanding this fact, at the extra session of this Congress the majority, without waiting for any report from the Tariff Board, proceeded to prepare and pass through the House a bill identical in terms with that now reported. That bill was made without any information additional to that which the committee had when the present tariff law was framed and enacted. No hearing was accorded to any parties whose interests were involved. The bill was rushed through the House pursuant to the dictate of a Democratic caucus without deliberation or opportunity for amendment. When it reached the Senate the Democrats of that body were not slow in finding out that its passage would result in the crippling of a southern industry. It was loaded down with amendments. One amendment tacked onto it was a revision of the metal schedule. Another amendment tacked onto it was a revision of the chemical schedule. This latter may not be inaptly termed as grotesque. It was not the result of any committee examination or report. It was offered from the floor of the Senate, and, as was subsequently discovered, represented the guesswork of a Treasury employee who had been instructed to turn specific duties into ad valorem, and then, regardless of the effect, to reduce these ad valorem duties uniformly all along the line. One effect of this amendment was to abolish the customs duties on alcohol imposed to compensate for the high internal-revenue tax and thus deprive the Government of a very large revenue. This, however, did not result in killing the bill. On its return to the House the Democratic majority proceeded to concur in the amendments en bloc without question or deliberation, and so the bill went to the President. He had no alternative but to veto it. This he did, both because of the Senate amendments and because of the crude and haphazard character of the bill as it affected the cotton industry. The bill had not had the informing report of the Tariff Board, although that report was in process of preparation and promised within a short time thereafter. In his veto message the President said, inter alia:

"My objection to the cotton schedule is that it was adopted without any investigation or information of a satisfactory character as to the effect which it will have upon an industry of this country in which the capital invested amounted in 1909 to \$821,000,000, the value of the product to \$629,000,000, the number of wage earners to 379,000, making, with dependents, a total of at least 1,200,000 persons affected, and the wages paid annually amounted to \$146,000,000. The bill would not go into effect by its terms until January 1 next, and before that time a full report to be submitted to Congress by the Tariff Board, based upon the most thorough investigation, will show the comparative cost of all the

elements of production in the manufacture of cotton in this and other countries. The investigation by the Committee on Ways and Means of the House did not cover the facts showing this comparative cost, for the reason that the committee was preparing a bill on a tariff-for-revenue basis and their view of a proper tariff was avowedly at variance with the theory of protection. Pledged to support a policy of moderate protection, I can not approve a measure which violates its principle."

The protests that came up from the South, and had their influence on the Senate, showed conclusively the unwillingness of that section to have any tariff tinkering that would affect its industries. It was then publicly announced that revision of the cotton schedule had been laid aside.

On the 22d day of March, 1912, the Tariff Board made its report on the cotton schedule. Like its previous report on the wool schedule, the report was thorough and comprehensive, and furnished the necessary data on which to base an orderly and scientific revision of the duties relating to the manufactures of cotton. This report makes clear the crude, careless, and haphazard character of the bill which the President had vetoed and which is now again reported by the committee, without modification or change, except in the abandonment of the Senate amendments. The committee has paid no attention to the report of the Tariff Board, except to find fault with it because of the condemnation to be found in it of their bill.

The original discredited bill is now again reported, while there is pending in the Senate and not yet acted upon a bill relating to the tariff on wool, a bill relating to the sugar tariff, and while a bill relating to the metal schedule also remains undisposed of. It is hardly necessary to say that the profession by the party in power of a desire to revise the tariff and its actions are not consistent with each other.

Having these facts in mind, and the further fact that no reason can be assigned to justify the President in approving the same bill which he has heretofore disapproved, it is difficult to avoid the conclusion that the report of this bill at this late day of the session is to serve some other purpose than its enactment into law.

If the majority are willing to enter upon a genuine revision of the cotton schedule, availing themselves of the information furnished by the report of the Tariff Board, the minority will cheerfully cooperate with them in such revision.

SERENO E. PAYNE.
JOHN DALZIELL.
S. W. MCCALL.
E. J. HILL.
J. C. NEEDHAM.
J. W. FORDNEY.
N. LONGWORTH.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MOSS of Indiana. Mr. Speaker, I rise to a question of personal privilege, and I would like to have the Clerk read the statement I send to the desk.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Whereas the present chairman of the Committee on Expenditures in the Department of Agriculture of this House promised, in April, 1911, that there would be a rigid investigation of the Weather Bureau "at an early date," which promise has not been kept—

Mr. MOSS of Indiana. Mr. Speaker, I do not wish to take up very many minutes of the time of the House, but as this statement is a false one, I would like to present the facts to the House as briefly as I may. This resolution (H. Res. 570) was introduced by the gentleman from New York [Mr. AKIN]. I do not know what information he had. I do know that the gentleman has never had any communication with me, directly or indirectly, orally or written, concerning the subject matter of the resolution. He has never been in the committee room, and if he has any information regarding any irregularities in the Weather Bureau he has never brought it to my attention, or, so far as I know, to any member of the committee.

I was a member of this committee during the Sixty-first Congress under the chairmanship of Mr. Graham of Pennsylvania, during which time the chief of the bureau came before the committee and made a full statement of the operations of his department; and so far as I know there were no charges of any kind preferred against his management. Later on, noticing a statement in the press over the signature of a Mr. Berry of this city, that there were certain irregularities that ought to be called to the attention of Congress, I made a clipping and laid it away; and after the committee had been organized—in the present Congress—I wrote Mr. Berry that the committee would be glad to have him bring before the committee any information he had regarding the Weather Bureau which ought to be investigated. The committee then organized, and decided to work under subcommittees and the chairman was authorized to appoint a subcommittee to take up the question of the particular charges, referred to by Mr. Berry; and on April 22, 1911, I wrote the following letter to Mr. Berry:

APRIL 22, 1911.

Mr. JAMES BERRY,
14 Third Street SE., Washington, D. C.

DEAR SIR: Again referring to your favor of March 31 concerning the administration of affairs in the Weather Bureau, I beg to inform you that I have named Hon. ROBERT L. DOUGHTON, who is a member of this committee, to confer with you and to go over the evidence you wish to present to the full committee.

You will kindly arrange with Mr. DOUGHTON, whom you will find at room 447, House Office Building, as to the time which will be most convenient to you both.

Very truly, yours,

RALPH W. MOSS, Chairman.

Finding that Mr. DOUGHTON was out of the city at that time, I wrote him on May 11, 1911:

MAY 11, 1911.

MR. JAMES BERRY,
14 Third Street SE., Washington, D. C.

DEAR SIR: Referring to my letter of recent date, in which I requested you to call upon Mr. DOUGHTON, I beg to advise you that he has now returned to the city, and will be pleased to see you at his office at any time.

Very truly, yours,

RALPH W. MOSS,
Member of Congress.

Mr. Berry called upon Mr. DOUGHTON and took up the question with him, and Mr. DOUGHTON came back to me and said that it was a matter that he did not care to settle himself and he preferred that I take the question up as chairman of the committee, and accordingly, on May 31, I wrote Mr. Berry the following letter:

MAY 31, 1911.

MR. JAMES BERRY,
14 Third Street SE., Washington, D. C.

DEAR SIR: I would request that you call at the committee room of the Committee on Expenditures in the Department of Agriculture at 10 a. m. to-morrow, June 1, as I desire to talk with you in regard to the charges you have made against the Weather Bureau.

Very truly, yours,

RALPH W. MOSS, Chairman of Committee.

Mr. Berry came in response to this, and I requested him to submit in writing whatever charges he had to submit against Prof. Moore and the operation of the Weather Bureau. He submitted in writing what charges he had to prefer against the bureau at that time, together with whatever oral explanation he had to make of the evidence he had behind the charges, and thereupon I called an informal conference of the Democratic members of the committee, which was attended by every one of the majority members—Mr. FLOYD, Mr. DOUGHTON, Mr. MAYS, and myself. I submitted to these members the written charges that Mr. Berry had made, and it was the opinion of the members that, in the main, the charges as made were not worthy of calling a congressional investigation for the special purpose of examining them. There were, however, some particular specifications referring to Mount Weather and one or two other matters that I took up for personal investigation. I invited Mr. LAMB, chairman of the Committee on Agriculture, and Mr. LEVER, of South Carolina, a distinguished member of that committee, to go with me to Mount Weather. We made a personal trip there and spent a day carefully examining Mount Weather and its operations, and if either of the gentlemen are present I will leave it to them to say whether they found anything that should be called to the attention of a congressional investigating committee.

Later, as some of the charges referred to the expenditure of the contingent funds in the Weather Bureau, I had the clerk of the committee, Mr. Crawford, spend almost a month in going over their accounts for a full year, calling upon Mr. Zappone, representing the Department of Agriculture, to submit the original competitive bids and the vouchers upon which the supplies were bought, and comparing them. After spending, as I say, almost a month in going over these expenditures of the Weather Bureau, Mr. Crawford reported back that everything, so far as the bookkeeping or methods of purchasing supplies were concerned, was perfectly straight and square.

I selected a list of the newspapers in the United States that were handling the Weather Bureau maps and publishing them, and I had the committee clerk write to every such paper in the United States, asking the editor what kind of service they received from the Weather Bureau, whether or not they had any suggestions or charges to make in regard to a change of it.

In every instance they came back in their replies to the effect that the weather map was appreciated by their subscribers, and they protested against any change whatever that might interfere with the service which the Weather Bureau was giving to them.

Wishing to make a further test, I asked the Representatives of districts within my own State to give me lists of representative persons living in their districts to whom I could write letters of inquiry, asking them as to whether the weather service was satisfactory. I received from my colleagues lists from their districts in our State, and I wrote a letter to each person on those lists, and I have their replies.

MR. LONGWORTH. Mr. Speaker, if the gentleman will permit, I suggest to the gentleman that a happy compromise might be reached between himself and the gentleman from New York [Mr. AKIN] by striking out the word "Bureau" in the resolution. There is no question but that the abominable weather that we have had this year ought to be investigated. [Laughter.]

Mr. MOSS of Indiana. If it were not for the fact that we have our corn planted, I would accept that in a moment.

In every instance the replies which came back from Indiana were either one of two kinds—either that they were entirely satisfied with the service or else that they wanted a service extended to them that would be equal in the rural districts to the service that was received in the city.

Now, Mr. Speaker, I shall not refer to this further, except to say that at this stage in the preliminary examination of the Weather Bureau the Wiley hearing came. It was thought at that time that the great importance of this hearing demanded a full committee, and we accordingly discontinued this work on the Weather Bureau and took up the Wiley hearing, which continued until January, when we made our report to the House. After making this report I called the committee together and submitted the question whether it would take up the Weather Bureau or the Forestry Bureau, and Judge FLOYD of Arkansas offered the following resolution on February 3, 1912:

Resolved, That the chairman be, and he hereby is, authorized to request Mr. Graves, Chief of Forestry Bureau, to appear and present to the committee a full detailed statement of the expenditures in his department.

That became the order of business to be pursued by the committee by a unanimous vote of the committee. But before we had time to take up that question certain Members of the House appeared before the committee and asked us to investigate charges pertaining to the Everglades in Florida, so that this order of business was displaced, and we went to work on the investigation of the Everglades matter. Before the investigation of the Everglades matter was concluded a resolution was introduced in the House to investigate the meat service, and we now have that on hand.

Now, here comes a request to investigate by special committee the Weather Bureau, charging that the present committee has failed to do its duty. I want to say to this House that I regard the power given to the investigating committees to be intended just as much to protect the reputation and service of a faithful public official as it is to find out anything that is wrong in the public service. [Applause.] I want to say that a man who is a Member of this House who will introduce a resolution charging that the committee has not made any examination of the Weather Bureau and charging that a great bureau of this Government is not giving efficient service to the people of the United States, if he has not taken more time and devoted more effort to the task of finding out the truth of the charges regarding the Weather Bureau than he has with respect to the truth of the charges against this committee, he puts himself into one of two classes, either that of a man who is easily misled, or else that of a man who is willing to give currency to charges that have absolutely no foundation in fact. [Applause.]

Mr. Speaker, I want to say further that I would not have spoken about this matter if it had not been for the injustice to the membership of the committee of which I have the honor to be chairman. We have given the greatest latitude to every person who has appeared before us with any grievance whatever, and my friend the gentleman from Nebraska [Mr. SLAON], who sits here, is a member of the committee, and I ask him to correct me if it be not a fact that every person who has appeared there with a grievance has been invited to tell the committee without any restriction whatever anything which he thought reflected upon the public service? This committee has taken many hundred pages of testimony and has devoted more hours to this duty than almost any committee in the House. Part of the time we have sat daily, and frequently we have had two sessions a day.

Upon this showing to the House I am perfectly willing to rest. If this House wishes to order a special committee of investigation, I shall be quite content; but I am not willing to have a Member of this House stand upon the floor and introduce a resolution reciting alleged statements about the action of this committee which have absolutely no foundation in fact. [Applause.]

MR. AKIN of New York. Mr. Speaker—

THE SPEAKER. For what purpose does the gentleman from New York rise?

MR. AKIN of New York. To reply to the gentleman from Indiana.

THE SPEAKER. It is not debatable.

MR. AKIN of New York. I ask unanimous consent to reply to the gentleman.

MR. FITZGERALD. How much time does the gentleman wish?

MR. AKIN of New York. Ten minutes.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I do not believe it desirable to enter into a discussion of the Weather Bureau this morning.

The SPEAKER. The gentleman from Illinois objects.

Mr. AKIN of New York. If the gentleman will withhold his objection, I will state what I have to say in three or four words.

Mr. MANN. I have no objection to that.

The SPEAKER. Did the gentleman from Illinois object?

Mr. MANN. The gentleman from New York does not want as much time as he first stated.

The SPEAKER. The gentleman from New York [Mr. AKIN] asks unanimous consent to address the House for 10 minutes.

Mr. AKIN of New York. For two minutes.

The SPEAKER. The gentleman says two minutes. Is there objection?

There was no objection.

Mr. AKIN of New York. Mr. Speaker, I have not had time to go back into this matter and dig up the stuff to make a proper reply, but I want to say that I am going to stand on my resolution.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 25069, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 25069) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes, with Mr. JOHNSON of Kentucky in the chair.

Mr. MALBY. Mr. Chairman, I offer an amendment to the pending bill.

The CHAIRMAN. The Clerk will report the amendment. Before doing that the Clerk will report the section to which it is offered.

Mr. FITZGERALD. The Clerk has read the first paragraph, and I understand the gentleman from New York offers his amendment to that.

The CHAIRMAN. The Chair can not hear the gentleman from New York.

Mr. GARNER. The first paragraph has already been read.

Mr. CANNON. Mr. Chairman, I rise to a question of order, and I shall make it constantly until there is order. In the confusion we can hear nothing. I do not want to lecture the House, but gentlemen engage in conversation, and others can scarcely get near enough, Member to Member, to hear what is going on. I hope that order may be kept.

The CHAIRMAN. The committee will be in order.

The Clerk read as follows:

To enable the President to secure information to assist him in the discharge of the duties imposed upon him by section 2 of the act entitled "An act to provide revenues, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, and the officers of the Government in administering the customs laws, including such investigations of the cost of production of commodities, covering cost of material, fabrication, and every other element of such cost of production, as are authorized by said act, and including the employment of such persons as may be required for those purposes, and to enable him to do any and all things in connection therewith authorized by law, \$225,000, together with the balance unexpended July 1 next of the appropriation made for these purposes for the fiscal year 1912.

Mr. MALBY. Mr. Chairman, owing to the fact that the House indulged me yesterday for about an hour discussing this particular amendment, which restores the Tariff Board to this bill, it is not my purpose this morning to take time for the further discussion of the amendment which I have offered. I simply desire to call the attention of the House to the fact that the amendment is to continue the appropriation for the work of the Tariff Board, which has been carrying on its work during the past two years, and further to call the attention of the House to the fact that the language of the proposed amendment is precisely that which has been carried in the current law during the past two years. I yield the balance of my time to the gentleman from Ohio [Mr. LONGWORTH].

Mr. BARTLETT. Mr. Chairman, I make the point of order that the gentleman can not yield time.

Mr. MALBY. Very well, then; I will yield the floor.

Mr. LONGWORTH. Mr. Chairman, I will ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio that he may proceed for 10 minutes?

There was no objection.

Mr. LONGWORTH. Mr. Chairman, as the gentleman from New York has stated, the effect of the amendment will be to continue the Tariff Board in existence for a year after the 1st

of next July. Should the bill as it stands be passed, the Tariff Board will cease to exist on the 1st of next month. This bill represents the culmination of the attack made by the Democratic Party upon the tariff commission plan. Unsuccessful while the Republican Party was in control of this House, in securing the abolition of the Tariff Board on its merits, they propose now, that the keys of the Treasury are in their hands, to accomplish their purpose by the simple but highly effective method of withholding the appropriation.

The reason for withholding this appropriation can be but one of two, either because it is a part of the cheese-paring policy of false economy, applied to some of the most important branches of this Government, that if carried through will inevitably result in crippling them, or else it is because the information that has so far been furnished to this House by the Tariff Board has not only not assisted but has proved absolutely inimical to the Democratic policy of tariff making.

Nobody regrets more than I, Mr. Chairman, that the tariff commission plan should have been made a party issue. We did not make it so on this side of the House. The members of the Tariff Board have not made it a party issue. Their reports have been unanimous, although two of the members are as tried and true believers in the Democratic faith as any man that sits upon this floor. You, yourselves, gentlemen, made it a party issue, or at least the great majority of you did when you trampled over some of your ablest leaders last year, and we upon this side propose to fight it out to a finish.

In supporting this amendment, and I am confident that everyone on this side of the aisle will support it, we are fighting not alone for the preservation of the Tariff Board. We are contending for a more important principle, the principle that no revision of the tariff will be again undertaken and carried through except in accordance with complete, accurate, and scientific information with regard to all the schedules, to be furnished as it only can be furnished by a permanent, non-partisan, independent tariff commission.

Of course the present board is not that; it has not the power it ought to have. It is not responsible, as it should be at all times, to Congress; and above all it has not the enduring nature that any great Government commission should have in order to properly carry out its functions. But it is the best possible under the circumstances, and we of the Republican Party do not propose that the Tariff Board shall be consigned to an early grave if we can help it. [Applause on the Republican side.]

The history of the tariff commission movement is brief and simple. Some years ago thinking men of this country began to realize that the American tariffs, Democratic as well as Republican, have never in many respects been scientifically made; that some of our schedules, both in Democratic and Republican bills, have been the result, not so much of action based upon accurate and scientific information as of log-rolling and trading between interested parties.

A few years ago a nation-wide association was formed, known as the National Tariff Commission Association, with a membership of men in all walks of life, whose purpose it has been to direct public sentiment toward the creation of a permanent tariff commission. A number of bills were introduced in both Houses of Congress looking to that end. I myself introduced a bill, which embodied, as I believe, the best features of all the bills, notably those introduced by the gentleman from Iowa [Mr. GOOD] and the gentleman from Wisconsin [Mr. LENROTH]. That bill was indorsed by the National Tariff Commission Association, and it met the approval of the President of the United States. It was gone over by the Republican members of the Ways and Means Committee and modified in some respects. It was then presented to the full committee, and after a consultation among the Democratic members they suggested an amendment, which we of the majority very gladly adopted, and the bill was reported unanimously by the full Committee on Ways and Means, except only that the gentleman from New York [Mr. HARRISON] reserved the right not to support the bill on the floor of the House. When the bill reached the floor it was discovered that a large majority of gentlemen on that side of the House were opposed to the Tariff Board idea, and while the gentleman from Missouri [Mr. CLARK], now the honored Speaker of this House, and the gentleman from Alabama [Mr. UNDERWOOD], now leader of his party, stood manfully by their guns, they were run over by the majority of their party, led by the gentleman from Kentucky [Mr. JAMES] and the gentleman from New York [Mr. FITZGERALD]. The bill received a solid Republican vote in the House. It received a solid Republican vote in the Senate, with several immaterial amendments added, which its friends here were perfectly willing to accept; but owing to the congested condition of business in the Senate, the bill did not

reach this House until the morning of the 4th of March. It reached here, however, in ample time to have been passed, had not a filibuster been entered upon by the gentleman from New York [Mr. FITZGERALD]. [Applause on the Republican side.] Every parliamentary device possible—and no one knows the art of parliamentary procedure better than the gentleman from New York—was resorted to. Roll call succeeded roll call. The hours flew by, until the question simply was whether the Congress should expire by lapse of time and the appropriation bills fall or whether the Tariff Board bill should be abandoned. At that point, and not till then, we, the friends of that bill upon the floor of this House, threw up our hands and allowed it to die. That is the history of events, Mr. Chairman, and it shows that the responsibility for defeating the permanent Tariff Board lies solely at the door of the Democratic Party. [Applause on the Republican side.]

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Mr. Chairman, I will be very glad to yield if I can have a few minutes more.

Mr. SHERLEY. I think we can get the gentleman five minutes more.

Mr. LONGWORTH. Then I yield to the gentleman.

Mr. SHERLEY. I simply wanted to ask the gentleman if he would not, for the sake of having the record complete, put into his statement the fact that in violation of a direct rule of the House, which says that a conference report shall be in order at any time except during a roll call, and so forth, on the motion of the gentleman from Minnesota, Mr. Tawney, and on the action of the then Speaker of the House, Mr. CANNON, a roll call on the question of the Tariff Board bill was stopped in its midst in order that a conference report on an appropriation bill might be considered, and that thereby it was made impossible to have a final vote upon the Tariff Board matter.

Mr. LONGWORTH. Mr. Chairman, I am perfectly well aware of the fact that one of the final roll calls was interrupted. Nobody regretted it more than I did.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LONGWORTH. Nobody regretted it more than I, and I do not propose to express an opinion as to whether it was right or not, but the plain fact is that the roll call would never have been interrupted had not that filibuster been undertaken to prevent the passage of the Tariff Commission bill.

Mr. SHERLEY. If the gentleman will yield, there never would have been the possibility of a filibuster if a hostile party at the other end of the Capitol had not held the matter until the very last day, and if there had not been at least permissive action on the part of the Republican leaders upon that side, aiding in the delay of the consideration of the Tariff Board bill.

Mr. LONGWORTH. Mr. Chairman, I am delighted to hear the gentleman from Kentucky now speak with regret of its defeat.

Mr. SHERLEY. Oh, I have always been and am now in favor of a proper tariff board, and my position is not a sudden conversion when I wanted an excuse to delay a real revision of the tariff, like some of the leaders on the other side. [Applause on the Democratic side.]

Mr. LONGWORTH. Mr. Chairman, I suggest to the gentleman to come over here on this side of the aisle, where he will be welcomed.

Mr. SHERLEY. Oh, I still want to be sincere in my attitude in regard to a tariff commission.

Mr. LONGWORTH. The fact is that the Tariff Board bill reached this House about 8 o'clock in the morning. We had practically four hours in which to pass it, if it had not been delayed by a Democratic filibuster and killed, and it does not lie in the mouth of any gentleman on that side of the House to say that it was not killed and intended to be killed by the Democratic Party. [Applause on Republican side.]

Mr. FITZGERALD. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. FITZGERALD. In view of the fact that the gentleman's party tried to pass a bill creating a tariff board on the last day of the session, after 16 years' control of Congress, does the gentleman think the country will believe that his party was very serious? [Laughter and applause on the Democratic side.]

Mr. LONGWORTH. Well, I am not responsible for the actions of my party [laughter on the Democratic side] in the Senate of the United States, but you were responsible for the action of your party when that bill came to this House.

Mr. FITZGERALD. Now, the gentleman knows that bill arrived at the House at 8 o'clock in the morning. The Committee on Rules, the night before, agreed to the most drastic rule ever drawn, yet that bill was not called up until half or three-quarters of an hour later. If it had been called up when it came over and if it had been as skillfully engineered as any other legislation, it might easily have been enacted.

Mr. LONGWORTH. Do I understand my friend the gentleman from New York is now apologizing for the part he took?

Mr. FITZGERALD. I did not favor it then and I do not favor it now. I am not like some recent converts, who, like Saul, saw a sudden light. I still have some convictions, and I am against a tariff board designed to delay relief to the American people from the burdens of an iniquitous tariff. [Applause on the Democratic side.]

Mr. LONGWORTH. And so are the rest of us, Mr. Chairman, and because the Tariff Board means no such thing the Republican Party stood and now stands for a permanent tariff board, while the Democratic Party stood against it and is now against it. [Applause on the Republican side.] The responsibility for the failure of this legislation, the responsibility for the fact that there is no permanent tariff board in this country, lies at the doors of the Democratic Party.

Mr. MADDEN. They do not need light.

Mr. LONGWORTH. But after this bill was defeated there still remained a Tariff Board, a board of three, appointed by the President under the authority conferred upon him by the Payne law. He proceeded at once to enlarge and reorganize this board, so as to make it—

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LONGWORTH. Mr. Chairman, I dislike very much to trespass on the indulgence of my colleagues, but I would like to have five minutes more time, as I have been so frequently interrupted.

Mr. FITZGERALD. Mr. Chairman, I have no objection, but it depends upon how many gentleman on that side desire to speak.

Mr. MADDEN. We are all going to talk on it.

Mr. FITZGERALD. However, if the gentleman claims the paternity of this recent Republican doctrine, he should have an opportunity to justify it, if it can be justified.

Mr. LONGWORTH. I am greatly obliged to the gentleman. As I said, the President proceeded at once to reorganize and enlarge this board, so as to make it as nearly as possible, both as to functions and as to personnel, what it would have been had the permanent tariff-board bill passed. And I say, Mr. Chairman, it is to the enduring credit of the President of the United States that he made it possible for this country to receive in the brief existence that this board has enjoyed reports which exceed in thoroughness, accuracy, and value to the American people all that we had had in our previous existence as a Republic. [Applause on the Republican side.]

Now we are asked to abolish this board in the very heyday of its usefulness, when it is fully organized and equipped to make further investigations of the tariff schedules. We are asked to forego the opportunity to have further information with regard to how much it costs to produce here and abroad articles in which we are in active competition with the world. We are asked to forego the opportunity to find out anything more about labor conditions here and abroad, about working hours, conditions in the factories, wages—conditions, in short, which it is absolutely necessary for us to know if we are to properly safeguard the interests of American workingmen. Gentlemen upon that side, in seeking to bolster up the weakness of their position have inveighed vigorously against the Tariff Board, and then they have turned around and said with equal emphasis that the tariff reports justified the bills that they have brought in. Only the other day the gentleman from New York [Mr. REDFIELD], who is now in the public eye largely by virtue of the fact that he is the only avowed candidate for Vice President known to be at large [laughter on the Republican side], after a most vehement attack upon the trustworthiness and accuracy of the Tariff Board report upon the wool schedule, said that it absolutely justified the Democratic wool bill. There is just about as much sense in that, Mr. Chairman, as knocking down a man because he calls you a name and then hugging him to your bosom because you admit that the name he called you was justified. The trouble is that the Tariff Board stands in your way, gentlemen. You do not want the kind of information that it has furnished, the kind of information that contributes to the sum of human knowledge.

You want a sort of select information, if you want any at all, information of your own choosing which will justify some of your peculiar theories. That is the reason you oppose a tariff

board. You may succeed now in abolishing this board and proceed with your haphazard revision of the tariff schedules based upon ignorance of the facts, upon prejudice, party exigency, and geography, but I warn you that you are only postponing the inevitable. The people of this country will never support a tariff revision made upon these principles. The permanent tariff board is bound to come. And it will come through the medium of the party that has stood for it in the past and stands for it now. It will come through the medium of the Republican Party. [Applause on the Republican side.]

Mr. CANNON. Mr. Chairman, I would be glad to be recognized. I do not care to discuss the merits of the resolution at this time, but I would be glad to be recognized on another proposition. The gentleman from Kentucky [Mr. SHERLEY] refers to an incident which happened during the last 30 minutes prior to 12 o'clock on the 4th day of March of last year at the close of the Sixty-first Congress. I recollect the incident very well, and if the committee will bear with me I want to say a word about the conditions.

There had been for some time filibustering proceedings in progress—determined and persistent. It was perfectly evident in the condition in which the House found itself that one of two things would fail, either the bill referred to by the gentleman from Ohio [Mr. LONGWORTH] and the gentleman from Kentucky [Mr. SHERLEY], creating a permanent tariff board, or the sundry civil appropriation bill, carrying, for almost all branches of the public service, in round numbers, \$140,000,000.

A roll call was then in progress. At the end of the first calling of the roll the gentleman from Minnesota, Mr. Tawney, who was then chairman of the Committee on Appropriations, rose in his place to a question of the highest privilege. He was recognized and presented the final conference report on the sundry civil appropriation bill. The Senate had agreed to it, as I recollect, and it only remained for a vote of the House to send that bill in the last hour to the President for his signature. There was talk then, generally, about a special session of Congress. Frankly, as a Member of the House and a citizen of the United States, I did not desire, as one individual, to see a special session of Congress. I knew that if the sundry civil bill failed a special session of Congress must come or the Government stop, practically. It would be inevitable. In that kind of a filibustering condition, where under the rules of the House the Speaker in the presence of a filibuster is practically what he was then alleged to be all the time, a czar, he was responsible first to himself, then to the House and the country, when he could hold under those conditions any motion as out of order as a dilatory motion.

I recognized the gentleman from Minnesota, Mr. Tawney, by halting the roll call. "The letter killeth and the spirit maketh alive." Under such conditions those clothed temporarily with power were justified in action that would ordinarily not be justifiable if a filibuster had not been in progress, and if we had not been in the last hour of the session—

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Mr. Chairman, I ask unanimous consent for five minutes more. I have almost finished.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. The alternative was presented to the presiding officer of the House, in that condition, to choose. I do not know whether the permanent Tariff Board bill then before the House would have been enacted or not within the few remaining minutes before the expiration of the Sixty-first Congress. I had then and have now my serious doubts, but I knew if it did pass it would be at the expense of the defeat of the sundry civil appropriation bill, and that a special session of Congress would be inevitable. I was satisfied the House, if it had the opportunity, would prefer to pass the appropriation bill rather than pass the Tariff Board bill, and by my ruling I gave the House the opportunity to pass the appropriation bill. Under the same circumstances, if again I was Speaker of this House, I would do the same thing. I have no apologies to make for it. I did believe then if the sundry civil appropriation bill passed there would be no extraordinary session. But an extraordinary session came. I do not believe there is anybody upon this side of the House that does not regret that it came, and I doubt if there is anybody on that side of the House that glorifies in the fact that it came. I want to say this much, and in conclusion, that conscientiously I performed my duty then and justify it now. [Applause on the Republican side.]

The CHAIRMAN. The gentleman from Kentucky [Mr. SHERLEY] is recognized.

Mr. SHERLEY. Mr. Chairman, I have no desire to pass upon the motives of the distinguished gentleman who has just taken

his seat, but the fact remains that the assumption of authority that he has just stated he took upon himself and which he attempts to justify was made in the face of one of the plainest rules that was ever written into the parliamentary law of the House of Representatives. And any Member supposed to know anything at all about the rules would be presumed to know the binding effect of this rule. One of the quarrels that this side of the House and that the American people have had with the distinguished gentleman has been upon that same assumption, that whenever, in his judgment, it was warranted he was at liberty to disregard the rights of the Representatives of the American people. [Applause on the Democratic side.]

Now, the rule of that Congress, and the rule of preceding Congresses, and the rule of this Congress, provides that the presentation of reports from committees of conference shall always be in order except when the Journal is being read, while the roll is being called, or while the House is dividing on any proposition. In the case at issue the roll was being called. There was an express provision that prohibited its being stopped. And yet the gentleman, because he did not desire an extra session, because he thought that a particular bill should be considered, violated that plain rule, and by its violation the vote on the Tariff Board could not be taken within the time left to the Congress of the United States. [Applause on the Democratic side.]

That is the record. I make no statements as to the gentleman's motives. He himself has told you why he acted. I present to the country the facts as to the rules of the House of Representatives.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. MANN. Does the gentleman think they would have had time before 12 o'clock on that day for the roll to have been called on the Senate amendments and the Senate amendments agreed to if this conference report had not displaced the completion of the roll call?

Mr. SHERLEY. My own judgment is that there would have been; but it was claimed that there was not sufficient time.

Mr. MANN. There was not sufficient time.

Mr. SHERLEY. That is the gentleman's opinion. Maybe the wish was the father to the thought in the gentleman's case, like that of a number of other gentlemen on that side.

Mr. MANN. I will explain that in my own time.

Mr. SHERLEY. Of course it is open to explanation, and in need of it.

Mr. CANNON. Mr. Chairman, if the gentleman will allow me, I merely want to say that there is another rule of this House that gives the Speaker extraordinary power in the presence of a filibuster.

Mr. SHERLEY. The gentleman must not take up my time with a statement.

Mr. CANNON. Mr. Chairman, I ask that the gentleman be given five minutes more.

Mr. SHERLEY. I do not want it.

Mr. CANNON. Just a word or two. I ask, Mr. Chairman, that the gentleman's time be extended five minutes.

Mr. SHERLEY. I have no desire to ask it in my own right. I only want a word, and then I will yield the floor to the gentleman.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. CANNON. Mr. Chairman, I ask two minutes of time, part of which I will yield to the gentleman from Kentucky [Mr. SHERLEY].

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CANNON. I again say there is a rule of the House also that gives extraordinary power to the Speaker in the presence of a filibuster. Under the spirit of the rule and in the fact that a conference report could even halt a motion to adjourn; under all the conditions, administering the rules as it was my duty to do, I took the action that I did.

The gentleman travels out of his way to say that whenever I desired anything as Speaker of the House and generally, I was charged with "czarism." I call on the gentleman, and I call on the Members of this House, to bear me out in this statement, that in courtesy to both sides of the House and in courteous administration of the House, to the best of my judgment, almost invariably approved by the House, under ordinary conditions every rule, in spirit and in letter as well, was given full play. But he who would sacrifice the interests of the country, he who would halt in the then condition of the House in taking the responsibility that I took would, in my judgment,

fail of the performance of his duty, and I again say I have no apologies to make. [Applause on the Republican side.]

Mr. SHERLEY. Now, Mr. Chairman, it so happens that the highest right that is reserved to the representatives of the people in the House of Representatives is the right of a roll call. The Constitution guarantees it. No rule can take it away. And in order that the constitutional guaranty may be made plain in every case, so that no possible excuse can be offered, the rule that I have read to the committee was invoked.

I again say—not questioning the patriotism of the gentleman or the motives which prompted his action, but questioning the wisdom of an action that puts the judgment of a man as to a crisis in front of the country before the plain letter of the law, which should control a deliberative body [applause on the Democratic side]—this is a government, or should be, of law and not of men. And again I submit the issue to the people—of the rules of the House having supremacy as against the judgment of a Speaker, no matter how patriotic, as to the need to disregard them. [Applause on the Democratic side.]

Mr. PALMER. Mr. Chairman, I am not so much interested—though the matter is an interesting one—in fighting over this ancient parliamentary battle as I am in the matter which is immediately before the House, and I want to bring the minds of the committee back to that question.

The proposition of the Committee on Appropriations is to abolish the present executive Tariff Board by refusing to appropriate the money necessary to continue its operations during the next fiscal year. The proposition of the gentleman from New York [Mr. MALBY], as contained in his amendment, is to continue the present executive Tariff Board by appropriating in this bill the exact amount which was appropriated a year ago for that board for the work of the present fiscal year.

I am against the amendment. I am for the proposition of the Committee on Appropriations, because I am against an executive tariff board.

Mr. MADDEN. Will the gentleman tell us what kind of a tariff board he is in favor of?

Mr. PALMER. Yes; I will say what I am in favor of before I sit down.

In my judgment there is neither warrant nor excuse under the Constitution, nor justification, reason, or necessity under the present conditions in business and its relations to the tariff, for an executive tariff board. [Applause on the Democratic side.] The present board was conceived in the desire of American manufacturers to fasten upon this country in perpetuity a high protective-tariff policy. [Applause on the Democratic side.] It was born in a plain and clear usurpation of executive authority. [Applause.] And its short and eventless life has been crowned with the purpose of delaying the execution of the people's judgment.

Mr. Chairman, it deserves to die. [Applause on the Democratic side.] It meets that deserved fate very properly at the hands of the Democratic Party, which believes neither in a high protective policy nor in the usurpation of executive authority nor in delay in the execution of the people's will. [Applause on the Democratic side.]

I understand that the gentleman from Ohio [Mr. LONGWORTH] has criticized this method of killing the Tariff Board. Whatever may be said upon the merits of the proposition, it seems to me there is no just criticism to be found in the method which has been adopted to bring this institution to an end. As far as its present powers are concerned, the powers which it has exercised during the past two years, it has derived them from an appropriation bill; and an appropriation bill having been its place of birth, it is entirely proper that an appropriation bill should be its winding sheet. [Applause.]

I have said, Mr. Chairman, that I am opposed to an executive tariff board. I am not one of those, if there be any such, who believe that a tariff bill can be written without expert assistance. There is no man in this House who has ever been engaged in the preparation of a tariff bill but will freely and frankly admit that he has availed himself of all the expert assistance at his command.

I would favor the establishment of a nonpartisan board composed of statisticians and experts upon tariff matters, named by and working under the direction of the House of Representatives. Since the foundation of the Government the Committee on Ways and Means has been charged with the duty of preparing revenue legislation which, under the Constitution, must originate in this House. The expert assistance necessary to prepare such legislation affecting all kinds of revenue ought to be at the command of that committee. It has always employed such assistance and it always will, whether there is an outside tariff board or not. While such a corps of experts ought not

to be partisan, they ought to work at the direction and under the control of that branch of the Government which is constantly in truest sympathy with the prevailing sentiment of the people upon the important questions affecting taxation. The very reason which prompted the framers of the Constitution to vest in the House of Representatives the exclusive power of originating revenue legislation—that reason being that this House is quickly responsive to the public will, and by the frequent election of its Members can constantly be made so—is a sufficient argument to sustain such a board solely as an adjunct to the lawmaking body.

It is not because we would not have this assistance in preparing Democratic revenue measures that we cut off this tariff board, but it is because this executive tariff board has demonstrated, by reason of the manner of its appointment and the purpose for which it was created, that its findings and facts, so called, will not receive consideration at the hands of the Congress, no matter which party is in power, in the writing of a tariff bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PALMER. I should like to have 10 minutes more, Mr. Chairman.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PALMER. Under the Constitution legislation of all kinds must originate in the Congress. It must be initiated here. The President, of course, has the power of recommendation. He has the added negative power in legislation of the veto, but it was not intended that he should initiate legislation in the form in which it would go through the Congress. No President, with very few exceptions, has ever undertaken to send down here any bill which he desired to have passed. President Cleveland did it once. President Taft did it perhaps indirectly a couple of times, but with those exceptions it has almost never been done. The legislative branch of the Government would resent it if it were done.

But what applies to general legislation applies with peculiar force to revenue legislation, because under the Constitution that legislation must originate not only in the Congress, but in this body. And I declare, Mr. Chairman, that as long as that remains so, although the House of Representatives will be glad to avail itself of such information as the executive department may collect in and about its regular duties as an executive branch of the Government, it will never avail itself of information furnished to it by the executive branch of the Government for the purpose of legislating, and the history of both parties in this House bears out that contention.

The present Tariff Board, which has been in existence nearly three years, has satisfactorily demonstrated only one thing, and that is its utter and absolute uselessness as an adjunct of the lawmaking power. It has made two reports—that covering the woolen schedule of the tariff law and another covering the cotton schedule of the tariff law. Those reports were made to the President and transmitted to the House. Then there was the report of the Tariff Board in relation to the pulp-and-paper schedule, but so far as this House has had anything to do with them there have been but the two reports, covering the schedules on wool and cotton.

We have had within the past week a striking illustration of the fact that the House of Representatives, without regard to party, will never take the work of this Tariff Board with anything like the seriousness that some gentlemen contend that it deserves. It is in the very nature of things, it is in the very nature of men, not to have that confidence in men appointed by others which they would have in the findings of men appointed by themselves. It is absolutely and entirely natural, and it has been demonstrated within the past week. The Democratic Party, through its majority on its Committee on Ways and Means, has introduced into the House, with a unanimous report of the majority members of that committee, a bill to revise the cotton schedule of the tariff law.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. PALMER. Yes.

Mr. COOPER. The gentleman recalls the fact that the Democratic majority of the Ways and Means Committee reported a chemical bill, to reduce the duties on chemicals, does he not?

Mr. PALMER. Yes.

Mr. COOPER. Two chemical bills.

Mr. PALMER. No; only one bill.

Mr. COOPER. Two bills.

Mr. PALMER. We reported only one bill revising the chemical schedule, and that was at the present session.

Mr. COOPER. Did not the Democratic House pass a bill last session revising the chemical schedule?

Mr. PALMER. Yes; but that was a different matter.

Mr. COOPER. That is one bill.

Mr. LONGWORTH. And it was reported favorably by the Ways and Means Committee.

Mr. COOPER. It was reported favorably by the Democratic Party in this House and it was defended on this floor as a scientific revision, and yet during this present session the Ways and Means Committee reported another bill revising the chemical schedule based on an entirely different theory; an entirely different bill. [Applause on the Republican side.]

Mr. PALMER. I thought, Mr. Chairman, I yielded to the gentleman for a question. I did not yield to him to inject a speech into my speech.

Mr. COOPER. I will ask the question now, if the gentleman will permit.

Mr. PALMER. Mr. Chairman, I do not want to be diverted into a discussion of the chemical schedule. As to that, everybody knows the situation. The chemical bill brought in by the Committee on Ways and Means during the present session and passed by this House and now in the Senate was defended by us as a scientific revision of the schedule. We were not the fathers of the chemical amendment to the cotton bill at the last session of Congress, and while we voted for the entire bill at the time in order to pass the cotton bill, it was distinctly stated that at the first opportunity we would bring into this House a revision of the chemical schedule.

Mr. COOPER. Mr. Chairman—

Mr. PALMER. I do not care to yield further, Mr. Chairman, for a discussion of the chemical schedule.

I was saying that while the Democratic Party, through its majority representatives on the Ways and Means Committee, had brought in a unanimous report covering a revision of the cotton schedule recently, there was one member of the committee, the gentleman from Connecticut [Mr. HILL], who prepared a bill which he declares is a revision of the cotton schedule in exact accordance with the findings of the Tariff Board.

The gentleman from Connecticut is one of the ablest and most studious men in this House. [Applause.] I have no doubt that from his point of view he understands the tariff question as well as any Member here. He declared to his colleagues upon that committee that his bill was a revision fixing the rates at exactly those which could be deduced from the findings of the Tariff Board, and these other gentlemen on the committee, strong adherents of the Tariff Board, now earnestly favoring its continuance, like my colleague [Mr. DALZELL] and the gentleman from Ohio [Mr. LONGWORTH], and all the rest, forgot their respect for the Tariff Board and disputed its accuracy in these matters and refused to vote for his bill in the committee. [Applause on the Democratic side.] Mr. HILL's bill, based on the Tariff Board report, received his own vote and no other.

Mr. McCALL. Will the gentleman yield?

Mr. PALMER. I will.

Mr. McCALL. If the gentleman from Pennsylvania is going to give what occurred in the committee he ought to give it correctly. The other gentlemen said they had not had an opportunity to read the bill of the gentleman from Connecticut and therefore did not want to sign. Although it is out of order for the gentleman from Pennsylvania to go into the discussion that took place in the committee, if he insists upon giving it he ought to give it fairly.

Mr. PALMER. I will give it fairly.

Mr. MANN. Mr. Chairman, if the gentleman is going to refer to matters in the committee, and I shall not make a point of order upon it, will the gentleman say whether either bill was read in the committee before the committee acted?

Mr. PALMER. Yes; both bills were read in the committee.

Mr. MANN. In the committee?

Mr. PALMER. Mr. HILL's bill was read in the committee and the other was the same bill which had been read many times in the committee.

Mr. MANN. It never had been read in the committee.

Mr. PALMER. Oh, the gentleman from Illinois was not in the committee.

Mr. MANN. That is true, but I know the bill was not read in the committee at either time.

Mr. PALMER. I say, and the gentleman from Connecticut [Mr. HILL] will say, and nobody will disbelieve him in the matter, that his bill was read in the Committee on Ways and Means.

Mr. HILL. It was.

Mr. PALMER. Before these colleagues of his refused to vote for the bill.

Mr. HILL. It was read fully, but I do not think the Democratic bill was ever read, either in this session or in the extra session.

Mr. MANN. That is what I stated.

Mr. PALMER. The gentleman is mistaken about that.

Mr. PAYNE. Oh, no; the gentleman from Pennsylvania is mistaken. It never was read.

Mr. PALMER. It was read in the committee and in the Committee of the Whole and it was read in the country and approved everywhere. [Applause on the Democratic side.]

Mr. MANN. But it was never read in the Committee on Ways and Means, and probably has not been read by the gentlemen who are applauding sentiments respecting it.

Mr. PALMER. Mr. Chairman, the gentleman from Massachusetts [Mr. McCALL] mildly calls me to order for stating what occurred in the committee, and ordinarily I would hesitate to do that, but upon this Tariff Board proposition we have heard dozens of times from the Republican members of the Committee on Ways and Means what happened in the committee in the Sixty-first Congress; the last time as late as this morning, when the gentleman from Ohio [Mr. LONGWORTH] referred to the matter. So I am justified in referring to it, and I am not criticizing these gentlemen for refusing to approve this bill, drawn in accordance with the findings of the Tariff Board. I am simply quoting their action to show how natural it is for men to refuse to follow an executive bureau in a matter of this kind, and these gentlemen are perfectly consistent with themselves when they refuse to vote for a cotton bill framed upon the Tariff Board's findings, because it was only three years ago when my colleague, the gentleman from Pennsylvania [Mr. DALZELL], said in this House:

There will in no event be any tariff commission. [Renewed applause on the Republican side.] The men who made the Constitution intrusted to the Representatives of the people elected every two years the exclusive prerogative of initiating revenue measures. During all our history the House of Representatives has jealously guarded that prerogative, never surrendered it, and both Democratic and Republican Representatives in this respect, standing on a common platform, never will.

[Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

Mr. BUCHANAN. Mr. Chairman, I ask unanimous consent that he have 10 minutes more.

The CHAIRMAN. Is there objection to the gentleman continuing for 10 minutes?

Mr. PALMER. I do not know that I shall use that much.

Mr. MANN. I think five minutes of time is all that should be granted.

Mr. FITZGERALD. Five minutes.

Mr. PALMER. Mr. Chairman, at that time my colleague from Pennsylvania did not anticipate what is the situation now, that we would have a Democratic House to originate tariff legislation while there was a Republican Executive. About the same time, a little after the Dalzell pronunciamento, the then leader of the Republican Party on the floor, the chairman of the Committee on Ways and Means, the distinguished gentleman from New York [Mr. PAYNE], when asked about a revision of the tariff at that time and whether a tariff commission would be acceptable to the Committee on Ways and Means and the House of Representatives in framing legislation, said:

I think the signs of the times are that next winter this committee will be forming a tariff bill. The question is whether the committee should receive the aid of a tariff commission. We shall invite in all the aid we can get—all the information we can get—and our power is great to send out and get it. We know where to get the Government experts for information about all the intricacies of the operations of the various schedules of the tariff. We know where to get the various decisions as to what the language means in the different schedules. We know where to get the information from manufacturers or merchants or mechanics the country over. Shall we get this information at first-hand or shall we delegate that power to another body of men appointed as a tariff commission? Speaking for one and from what I have seen of the formation of tariff bills, the committee, no matter what the tariff commission might report, would seek its information at first-hand.

[Applause on the Democratic side.]

But he winds up that speech by an expression of his deliberate judgment—

You probably have gathered from the tone of my remarks that I am not able to see the wisdom of a tariff commission.

[Applause on the Democratic side.]

And so when the gentleman from New York was framing a tariff law he was not standing for a tariff commission, and now the gentleman from Ohio [Mr. LONGWORTH] says that we are opposed to it because it stands in our way, as the gentleman from New York feared, perhaps, it might stand in his way. It was intended to stand in our way [applause on the Democratic side], and because it has consistently stood in the way of an

honest revision of the tariff downward we propose to wipe it out of existence. [Applause on the Democratic side.] I said a few moments ago, Mr. Chairman, that this Tariff Board was conceived in the minds of the manufacturers of the country, who wanted to fasten a high protective-tariff policy upon us. I shall not stop now in the few moments I have to show how it was conceived, but I find upon my desk this morning, as probably every Member did, a clipping reprinted from the *Dry Goods Economist*, May 25, 1912, entitled "Demand its continuance"—referring to the Tariff Board—and this paper gives a list of the organizations which originally started the agitation for a tariff board. It names the National Association of Manufacturers, the National Retail Dry Goods Association, the Wholesale Dry Goods Association, the American Hardware Corporation, the Merchants' Association of New York, and others. The writer says that the reason these strong friends of the purchasing and consuming public, these great associations of manufacturers, have been anxious to have a tariff board is because the Members of Congress are too ignorant and too lazy to study the tariff question or pass upon these questions. Will you stand for that? Do you indorse the statement of the gentleman from Ohio reported in the newspapers some time ago that a majority of the majority on this side did not know the difference between an ad valorem and a specific duty? Do you believe any such rot as that? Yet that is the argument presented by the *Dry Goods Economist*, and such in the last analysis seems to be the reason advanced by most of its friends for the continuance of this institution. [Loud applause on the Democratic side.]

Mr. MANN. Mr. Chairman, when I witnessed the wild enthusiasm of the Democratic side of this House applauding the utterances of the Hon. JOHN DALZELL, of Pennsylvania, in regard to the tariff I have wondered. [Laughter.] When the gentleman from Pennsylvania [Mr. PALMER] desires to arouse enthusiasm now on his side of the House on the tariff question he reads the utterances of his colleague from Pennsylvania [Mr. DALZELL], and I wondered whether Mr. DALZELL has become a low-tariff man or his colleague from Pennsylvania has become a high-tariff man. [Laughter and applause on the Republican side.] And when I saw the gentleman from Alabama [Mr. HEFLIN], with enthusiasm in every line of his face, wildly applauding the speech on the tariff question made by the gentleman from Pennsylvania [Mr. DALZELL] I wondered whether the millennium had come. Mr. Chairman, a practical joke sometimes results in a tragedy. When the Ways and Means Committee by a unanimous vote in the last Congress recommended the passage of the bill establishing a Tariff Board some practical joker on the Democratic side, with no expectation of success and with no intention of gaining a victory, commenced some opposition, and before he knew he had accomplished more than he thought—he had lined up a majority on the Democratic side against the Tariff Board and the passage of a bill which no one desired to defeat at that time and which was passed in the House previously. It finally came back to the House on the 4th of March, two years ago, after an all-night session of the House, somewhat late in the morning, and that practical joker from Texas [Mr. GARNER] commenced opposition, or followed the opposition which he had commenced before, to the House agreeing to the Senate amendments, and the gentleman from New York [Mr. FITZGERALD], active, acute, bright in mind, well informed as to his rights under the rules, concluded that he would take part in that joke and prevent the House from agreeing to the Senate amendments and thereby defeat the bill to create a tariff commission. The gentleman from Kentucky [Mr. SHERLEY] a few moments ago stated that the cause of the defeat of that bill was the action of the then Speaker in recognizing Mr. Tawney, of Minnesota, to present a conference report between the first and second call on a roll call. In the interest of history, at least, I think it is proper for me to say a word upon that point. Mr. Chairman, during my service in this House I never have seen the House reach a point so near personal conflict as came on that morning. The gentleman from New York began to filibuster. The tariff commission bill came from the Senate with a number of Senate amendments. It is the custom of this House on the 4th of March, so far as ordinary business is concerned, when it comes close to the hour of 12 o'clock, to move the hands of the clock back through some unknown and supposedly unseen agency.

But no one in the House would desire to move the hands of the clock back for the purpose of falsifying the record of time in order to pass a controverted bill in the House.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Without objection, the gentleman will continue for five minutes more.

There was no objection.

Mr. MANN. The gentleman from New York [Mr. FITZGERALD] commenced to filibuster on the bill. It was plainly impossible to call the roll on the passage of each of the Senate amendments—and a roll call could be demanded on every amendment—and complete the call before 12 o'clock. Thereupon the Committee on Rules reported a rule providing that the previous question should be considered as ordered upon a motion to agree to the Senate amendments in gross. And, under the filibuster, that had to be adopted by a roll call. The first call of the roll was had on that rule, and at the end of the first roll call the gentleman from Minnesota, Mr. Tawney, presented a conference report on the sundry civil bill and asked to have it considered.

I am familiar with the rule referred to by the gentleman from Kentucky [Mr. SHERLEY] that a conference report can not interrupt a roll call. I was not familiar with it at that time, and no other Member of this House—and I make no exception—knew there was such a rule.

Mr. FITZGERALD. Mr. Chairman, will the gentleman permit an interruption? I beg to state I called the Speaker's attention to it and protested against his action, at the desk. I had to do it at the desk because I could not get recognition on the floor. [Applause on the Democratic side.]

Mr. MANN. The gentleman had recognition on the floor. The Members are applauding too quickly.

Mr. FITZGERALD. I did not.

Mr. MANN. The gentleman himself looked at the rules and found there was such a rule. And he went to the Speaker and I went to the Speaker and called his attention to this rule, the parliamentary clerk not then being at the Speaker's table. The gentleman from Minnesota, Mr. Tawney, in asking for a consideration of the conference report, made a parliamentary mistake. I think the Speaker in recognizing him made a parliamentary mistake. The gentleman from Minnesota possibly made a tactical mistake, not supposing that the Democratic side would filibuster against the passage of the sundry civil bill, which they did, and which required a roll call. But even if that mistake had not been made, unfortunately it was not possible to have a final roll call on agreeing to the Senate amendments. When the motion on the roll call was carried, the gentleman from New York [Mr. FITZGERALD], under the rules, made the point that he had a right to make a motion to recommit the bill to the Committee on Ways and Means. The Speaker sustained his right. Those who have charged this morning that the Speaker was unfair and autocratic should remember that on a matter which was then controverted and was then settled by the ruling of the Speaker, giving to the minority the right which they claimed, the Speaker recognized the gentleman from New York [Mr. FITZGERALD] to make a motion to recommit a bill because the rules seemed to provide for that. It was not possible to conclude that roll call and have another roll call on agreeing to the Senate amendments before the hour of 12 o'clock came. Gentlemen on both sides of the aisle were hot-tempered and bitter. In the midst of that controversy, trying to keep my judgment and trying to hold my temper, and believing it would be a serious catastrophe if a riot should occur in the House of Representatives when an effort should be made to turn back the clock, if that were made, and knowing that once the clock were turned back it would not be possible to pass these Senate amendments, I went on my own responsibility to the gentleman from New York [Mr. FITZGERALD] and other gentlemen on that side of the House, and stated to them that the clock would not be turned back for the purpose of passing any controverted proposition. And shortly after that the gentleman from New York [Mr. PAYNE], seeing that it was not possible in the course of half an hour or more after 12 o'clock to agree finally to the Senate amendments, withdrew, in the midst of the roll call, the entire proposition by unanimous consent.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five minutes more. [After a pause.] The Chair hears no objection.

Mr. MANN. When that request was agreed to, the clock was turned back twice before the conference report had been enrolled and presented to the House. I am sorry that the tariff commission bill did not pass. But I recognized then and I recognize now the rights of a minority to pursue every parliamentary device which rules provide to defeat legislation, as the

majority has the right to pursue parliamentary devices to enforce or pass legislation.

But I would much rather that the Tariff Board question should remain open for the people to decide than to have seen what on that day was imminent—a personal conflict between Members of the two sides of the House, each believing that it was right. The Speaker then, my colleague Mr. CANNON, is entitled to no criticism for what he did. He preserved the rights of the minority. If he had refused, in violation of the rules, to recognize the gentleman from New York [Mr. FITZGERALD] on that day to make a motion to recommit, the tariff commission bill might be a law. But my colleague now acknowledges, like a man, and takes the responsibility of recognizing the conference report between the two roll calls. He does not play the "baby act," and he never does. But in point of fact both the gentleman from Minnesota, Mr. Tawney, and the Speaker in the chair were not familiar with the rule, which had not been invoked in practice probably in the course of a half century of time.

Now, Mr. Chairman, so much for that. I was not very enthusiastic about a tariff board. But, with what little experience I have had in the House in the course of the preparation of one general tariff bill and a number of schedule tariff bills, I have reached the conclusion that the House can not in any way obtain too much information. [Applause on the Republican side.]

The gentleman from Pennsylvania [Mr. PALMER] says somebody accused the House of being ignorant or lazy. On tariff questions this House, on both sides, is in the main both ignorant and lazy. [Laughter.] No one pretends that the average individual Member of this House knows or studies the schedules or the rates on different items in different schedules in the main. The Ways and Means Committee itself does not do it. When the chemical tariff bill was presented to this House at this session there was one Member in the House who pretended to know in regard to it, and he was the one who had written the bill.

I will not blindly follow the report of a Tariff Board, whether it be an executive board, a legislative board, an independent board, or any other kind of a board. But why do you fear the information? If we on this side of the House shall have the next House, why do you oppose our desire to have the information? If, on the other hand, you on that side of the House shall have the next House, why, even if you want to throw the information in the wastebasket, do you oppose our having it? In fairness to the minority now, in fairness to the majority then if we shall be in the majority, and in fairness to the minority then if we shall then be in the majority in the organization of the House, you should give us a chance to acquire the information which we desire.

Mr. PALMER. Would you pay the same attention to it then, if you were in the majority, that the minority of the Committee on Ways and Means now are paying to the report of the Tariff Board on the cotton schedule?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask for five minutes more.

Mr. PALMER. Mr. Chairman, I ask that the gentleman be allowed five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MANN. Mr. Chairman, when the Tariff Board's report on the wool schedule came out I read it, and read it again, and read it still again. Some other Members of the House did that. I think everybody will say that there was some information contained in that report, whether you agree with the information or not.

I am frank to confess that I have not read the report of the board on the cotton schedule. Up to within a few days ago it was my understanding, at least, and I think it was based upon information from authoritative sources, that the cotton schedule bill was not likely to come in at this session of Congress. I have no criticism because a change of policy, if there was a change, was made in that respect.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MANN. The majority have full privilege in reference to that.

Mr. LONGWORTH. The statement was made by the chairman of the Committee on Ways and Means that no cotton bill would be reported unless the Senate showed a disposition to enact final tariff legislation. It was on the authority of the Senate's action on the steel bill with the reciprocity amendment that a disposition was construed to exist in the Senate to pass tariff legislation. As a matter of fact, of course, everybody

knows that the Senate's action means that there shall be no further tariff legislation.

Mr. MANN. I have no criticism for the chairman of the Committee on Ways and Means if he changed his mind, if he did change his mind. That is his right. I think it is not required that he shall announce his policy at all, and much less to the minority side of the House.

I went over very carefully with the gentleman from Connecticut [Mr. HILL], and in other ways, the wool bill which was offered by the minority in the House when the committee's wool bill was passed. Personally, while I have talked with the gentleman from Connecticut [Mr. HILL] in regard to his bill and have examined casually his provisions, I have given no special examination to the provisions of his bill. While I have the highest regard for the gentleman from Connecticut and would much prefer to follow him on a tariff bill rather than some gentlemen on the Democratic side, we are not constituted on this side of the House so that we indorse proposed legislation without any examination.

On that side of the House a gentleman can prepare a tariff bill offhand, as the chemical bill was prepared, with no one knowing its contents except its author, and it will receive the enthusiastic support of all Democrats. [Applause on the Republican side.]

Mr. RUCKER of Colorado. Will the gentleman please make an exception?

Mr. MANN. Oh, the gentleman is no longer an ordinary Democrat. He is a sensible Democrat. [Laughter.] The gentleman has voted against nearly every party measure that has been brought into the House and has in that respect shown excellent judgment. [Applause on the Republican side.]

Complaint is made because we do not take offhand the cotton bill prepared by the gentleman from Connecticut [Mr. HILL] and presented to the Ways and Means Committee. It is easier for them. What do they do? They take offhand a bill prepared last summer by no one on this side knows whom. Who prepared the bill of last summer? In the light of all the information which you have received since last summer—and unless you are dummies you must have received some information—you have not dotted an "i" or crossed a "t" in the cotton bill. You learn nothing by experience. You acquire nothing by study. You add nothing by information.

Mr. PALMER. We were right the first time.

Mr. MANN. You simply follow what some ignoramus or gentleman or learned man has prepared and then blame us because we are not equally foolish. [Laughter on the Republican side.]

Mr. FITZGERALD. Mr. Chairman, I shall not attempt to go very much into what happened at the end of the Sixty-first Congress. The attempt to defeat the Tariff Board bill was no practical joke, however. I resented its being reported by the aid of Democratic votes. I antagonized it in committee, in the House, and I antagonized it when it came from the Senate. If everybody else is so delicate about having attributed to him any responsibility for the failure of the Tariff Board bill, I am perfectly willing to have them place that responsibility on me, because I think that was one of the most meritorious things I have ever accomplished during my membership in the House. [Applause on the Democratic side.]

I think the gentleman from Illinois [Mr. MANN] states pretty fairly what happened in the last day of that Congress. I have never seen such intense excitement here. There was danger of personal conflict. I was glad the bill was defeated. I protested against the action of Speaker CANNON in permitting the conference report on the general deficiency bill to be submitted in the way it was, because I believed it a violation of the rule.

But I wish to say that I have always been convinced that his action was in good faith as to his powers under the rules of the House. Whether that particular action or some other things made impossible agreement upon the conference report made no difference to me. I desired to defeat that bill. I resented some of what I considered at that time to be the arbitrary actions of the Speaker in depriving me of opportunities to delay a vote upon the bill. Considering the opportunities under the rules to delay matters, I do not believe that a vote could have been reached on the bill. I never believed that the Republican Party were sincere in that Congress in their attempt to enact a tariff board bill. [Applause on the Democratic side.] They had had control of Congress for more than 16 years. They reported their so-called tariff bill somewhat early in the session, and passed it through the House. They brought it back in the dying hours of the Congress.

Knowing the possibilities for delay under the rules, knowing that there were men who were determined to prevent the enact-

ment of the law if it could be prevented, it requires more credulity than I have ever possessed to induce me to believe that the great majority of the Republicans were really sincere in their desire to enact the bill, and I am justified in that belief by the historic attitude not only of the Republican Party, but even of distinguished gentlemen now in the House and who have recently been in both Houses of Congress. The gentleman from Illinois [Mr. CANNON] himself said upon the occasion referred to by the gentleman from Pennsylvania [Mr. PALMER] when the gentleman from New York [Mr. PAYNE] made the statement which he quoted:

We had a Tariff Commission once, composed of very able men. They performed in the early eighties. We revised the tariff. I am told, Brother PAYNE, by those who were in that Congress, that they heard all the industries, and the report of the Tariff Commission was so voluminous that they did not even read it. * * * I fear greatly that you would turn into a debating school, just as we do in the House, and that there would be liable to be a majority and a minority report—maybe not; I should hope not—if this commission is constituted. * * * You say that Congress is not fully informed. Let me tell you something. I want to say that I do not believe there is a man in the United States who knows as much of the schedules and who is as well equipped for that work as the gentleman upon whose shoulder I lay my hand [Mr. PAYNE].

And after Mr. PAYNE had had his opportunity to revise the tariff, and after the country had pronounced its emphatic condemnation of the result of his efforts, the gentleman from New York [Mr. PAYNE] and the gentleman from Illinois [Mr. CANNON] and gentlemen from every other hidebound Republican district where the protective industries have been fattening at the expense of the American people suddenly became convinced that it was highly desirable to have a tariff board, in order to furnish information to the Democratic Party in their revision of the tariff. [Applause on the Democratic side.]

Mr. Chairman, I have opposed the Tariff Board because it is a futile waste of money. [Applause on the Democratic side.] It was conceived for the purpose of preventing action on the tariff until the Republican Party might possibly patch up its differences. That was practically the statement of the President at Winona, but he was a poor prophet. He anticipated that the wounds would be healed in four years. It would be an indefinite period for the life of this commission if it were to be extended until the present differences in the Republican Party are healed and cooperation in its divided ranks again becomes possible. [Laughter and applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FITZGERALD. Mr. Chairman, I ask for 10 minutes additional.

The CHAIRMAN. The gentleman from New York asks that his time be extended 10 minutes. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Chairman, the President did not originally anticipate that this should be a tariff board in the sense now contemplated, and I shall read from two statements to confirm that view. He said:

I do not intend, unless compelled or directed by Congress, to submit the results of these investigations, but to treat them merely as incidental facts brought out officially from time to time.

And Senator Hale pointed out in the Senate—and I shall put in the RECORD just what he said—the fact that he had thoroughly gone over the provision in the Payne-Aldrich bill, section 2, and that the provision in there was not to create a tariff board, but to enable the President to administer the maximum and minimum provisions of the law. Senator Hale said, on August 4, 1909:

When this subject came up, Mr. President, as it does in the urgent deficiency bill, I went over this whole question with the President as to his scope of duties. I showed to him that it was not intended to keep this subject open, but to confine him to the question of discriminations, discriminating duties, and discriminating processes by other powers. In framing the language of the item of appropriation that gives the President the amount of money that he asked, it has been confined strictly to the language I have recited as a part of the tariff act. I have no fear the President will undertake to exceed that. I do not believe that he will.

Then he said further:

But the Senate conferees found the House conferees a rock against any form, not only of tariff commission, but of any authority, that should be given for any officer of the Government to keep this subject open. * * * What is the business of the President under the maximum and minimum provisions? It is not to inquire into the condition of labor in other countries—the relative cost of labor there and here. He is limited to an inquiry as to the discrimination that is made by other countries against the United States. He so understands it. I understand that he so understands it. I do not believe and I do not expect and I do not fear that the President would seek to amplify this authority.

Speaking further, relative to possible changes of the Payne law, he said:

* * * It is not any tariff commission that will settle this question in the future. It will be Congress that will settle it; it will be the

House primarily and the Senate secondarily; and no tariff commission will add 1 ounce of weight to the deliberations of the two bodies which must at least settle all these questions.

And yet within two months of these declarations the President stated that he construed the provision to authorize him to appoint a tariff commission. This so-called tariff commission has expended \$550,000. It has completed the investigation and reported upon three schedules of the tariff law. There are 11 schedules still to be investigated and reported upon. This pending amendment proposes to reappropriate the unexpended balance of the appropriation made for this year, although the President in his message, I think on the cotton report, stated that it would require \$60,000 additional to complete the work of the commission during the present year.

I endeavored to ascertain how much more would be required to enable the commission to complete its work, and the best information that could be obtained from these gentlemen was that it would require at least \$450,000. But by the time they had completed their work additional money would be required for additional investigations in order to keep it up to date.

I have heard gentlemen speak of the value of the reports of the Tariff Commission and the necessity for the information that the reports contained, and the importance to the Congress that the information should be before the House before tariff legislation is enacted. The gentleman from Illinois [Mr. MANN] stated that he has carefully examined the report on the wool schedule, and that it contained at least some information. It would be very difficult, Mr. Chairman, for a report of the size and volume of that report not to contain some information, but how valuable it is I shall not undertake to say.

But I shall quote a competent witness on this question, a man whom nobody upon that side will challenge as to his ability and knowledge and competency. Samuel S. Dale, recognized as one of the greatest textile experts of the country, and, if I be not misinformed, either the editor or connected with the Textile World Record, the recognized authority upon these questions, has prepared a most comprehensive analysis of the report of the Tariff Commission, so called, on the wool schedule, and a most illuminating analysis of the bill prepared by the gentleman from Connecticut [Mr. HILL]. I shall ask to have it printed as a part of my remarks, and I shall read to the House for its information at this time only the concluding paragraph of the paper, prepared by the most competent man on these questions in the United States:

In conclusion I desire to express my keen regret at having found the statement of fact in the report—

Referring to the report on the wool schedule—

deficient, and the conclusions generally erroneous. The Tariff Board's work on Schedule K may, nevertheless, serve a useful purpose by awakening interest in a question of great importance, provided the real character of the investigation is clearly understood.

So that the only value of this report, according to the most competent man in the United States to pass upon these questions, is that it may awaken some interest among the American people as to the necessity for removing the indefensible rates in the woolen schedule. Does anybody imagine that it necessitated an expenditure of \$550,000 to convince the American people that any such revision was necessary?

Mr. Chairman, I oppose the Tariff Board because its purpose—not the purpose of the members of the board, but the purpose of those who created it—was to delay tariff revision. We all recall the veto messages of the President of the United States. He vetoed the tariff bills passed in the special session of this Congress upon the ground that, as the Tariff Board had not reported upon the various schedules affected, he was unable to state whether the bills as passed and presented to him afforded that measure of protection which the Republican platform promised to the protected industries of the country, which was a rate to equalize the difference in the cost of production here and abroad with a reasonable profit to the manufacturer; and he stated that he would not approve any bill revising or affecting the tariff which did not give that measure of protection to the protected industries.

Yet, Mr. Chairman, during that same session of Congress, with a report of the Tariff Board showing a difference in cost of producing print paper of \$5.34 in this country and Canada, in the face of the Republican platform upon which he was elected, and after pledging himself not to approve legislation which did not afford that measure of protection, he signed the reciprocity bill, which contained a provision putting print paper upon the free list. In that way he has completely repudiated not only the reports of the Tariff Commission, but his own action in denying to the people of the United States relief from the iniquities of the present tariff law. Of what value is it to wait for these reports if the President is to play fast and loose with them himself? Who knows that he would be satisfied with

a bill reducing rates to a point which even the board would concede was proper for the purpose merely of carrying out the Republican platform if, perchance, it would affect some industry which was peculiarly active in behalf of the Republican Party either before or after the nominations?

Mr. Chairman, the whole purpose of this scheme is to delay, to prevent relief to the people. So far as I am concerned, I believe that this side of the House is not only sufficiently patriotic, but that it has the courage and the information necessary to so revise the tariff as not only to meet the commendation of the American people, but to bring that relief to which they are entitled. In this coming campaign we shall face that issue confidently. The country may then determine whether it desires to delay, delay, delay in the interest of those who have been enriching themselves at the expense of the people or whether the people are prepared to approve the legislation thus far enacted by this House. To write such laws upon the statute books I believe the people will give us a sweeping victory in the next campaign. Upon the issue we are ready to abide the judgment of the American people. [Applause on the Democratic side.]

Mr. PAYNE. Mr. Chairman, I do not think that the gentlemen on the other side of the aisle can justify themselves to the American people for striking down all legislation in reference to a tariff board by quoting some speeches that I made four or five years ago. I was opposed to a tariff board then. I believed that it was better for the parties who were to make a tariff and suggest rates to have the witnesses come before them, that they might examine them and see the witnesses themselves and their manner of giving evidence, especially parties who were interested, in order to get at the truth.

The committee over which I had the honor to preside were more faithful, spent more time, worked harder to get at the facts than any Ways and Means Committee of the House since I have been a member of that committee, now something over 23 years. But, Mr. Chairman, there were certain facts we could not get at. We could not get witnesses from the other side of the water; we could not examine them; we could not see their manner of testifying; and we could not ask them the questions that we desired to ask; and yet, hampered as we were, we ascertained more facts and obtained a better basis for formulating a tariff bill than any committee with which I have ever been connected before. Yet that experience convinced me that we needed something more. The gentleman from Pennsylvania is opposed to an executive tariff board. He promised the gentleman from Illinois to tell what kind of a one he wanted, but he forgot to say anything about it, although he wandered around for half an hour on the subject afterwards. An executive tariff board! Has this committee of this House ascertained a single fact that they did not get from an executive department of this Government in reference to the formation of a tariff unless some of them, perchance, may have read over a stray hearing that was had before the committee in 1909. If they have, they failed to show it to the House. Their reports have been voluminous, but you can not find anything in them that is not in a report of the census or some other executive branch of the Government. What does he mean; what kind of a tariff board is he for? He evidently wants to justify himself, because he knows the people of Pennsylvania and the people of this country want a tariff board. Why does not he mention the kind? Why does not he bring a bill in for a tariff board before the Committee on Ways and Means—he is an influential member there—and push it through the committee? Why did he vote against the bill I called up in the Committee on Ways and Means during this present session—identical with the bill that the majority of the House voted for and he voted for, if I am not much mistaken, in the last Congress during the closing hours?

Oh, how anxious he is, how very anxious he is for a tariff board or a tariff commission to gain information. Now, this Tariff Board has the power. It sent agents abroad to take testimony there. They had power to send agents over the United States to take testimony here. They presented a report on the wool bill that everybody who is competent to judge says was the greatest report ever made on any tariff subject in any country in the world, and this praise comes not alone from the people of the United States, but from men abroad who have made a study of these questions the work of their lifetime. That is what this board has done. But the gentleman from Pennsylvania says the Republican majority does not believe in this board. Why, it seems to be an impression even with some members of the Ways and Means Committee that this board suggested rates. They are doing nothing of the kind; very far from it. They do not suggest a rate for a tariff for revenue only reformer; they do not suggest a rate for the free trader and they do not suggest a rate to those of us who believe

in the protection of American industries. It is true in the wool schedule they say if Congress adopts a certain rate upon the scoured content of wool other rates will follow as a corollary, on scoured wool and wools in various stages of manufacture the rate of tariff would be according to the weight of the wool, but they do not suggest any rates to Congress that Congress shall adopt, but all through their report they simply furnish the facts. It was suggested at the time I made that speech in the House that we should refer it to the board to bring in a bill. I said Congress never would submit to that, and it never will. I stand by that now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAYNE. Mr. Chairman, I would like to have about 10 minutes more.

The CHAIRMAN. Without objection, the gentleman will be given 10 minutes. [After a pause.] No objection is heard.

Mr. PAYNE. The Constitution gives to us the fixing of rates, but the Constitution does not state that we are to find out the facts in any given way. We can get at it ourselves; we can have a tariff board, a part of the executive portion of the Government. What kind of tariff board does the gentleman want? Now, the great difficulty in the Ways and Means Committee is this: The life of Congress is only two years. If the President calls us together as soon after the 4th of March as can be done, as he did in April during the formation of the tariff bill in 1909, still we have a very short time in which to formulate a bill and get it through Congress. We can not get all the evidence we want. I did want to revise the woolen schedule. I was earnest in it. I got all the facts together and laid them before the committee, but I could not get facts enough to convince gentlemen who have since read the wool report from this Tariff Commission and who agree now that I was partially right, at least, in what I wanted to do.

I had paid a little more attention perhaps to that than some others in the committee.

A tariff bill is not formed by any one man. I have been through two or three tariff formations. The chairman does not have his own way about everything. I think that perhaps I had my own way about the last bill as much as any chairman I ever served with, but I did not have my own way. The bill before the House even was not exactly the bill I would have framed if I had absolute power.

Mr. HULL. Will the gentleman state now that he is in favor of a tariff board and if it is his opinion it would have been better in 1909 to have created a tariff board and revised the tariff schedule by schedule in that way instead of the manner in which it was admitted to be dealt with?

Mr. PAYNE. I think if we had had the assistance of a tariff board that we still would have made a better bill than we did. Nobody will ever make a perfect bill. Nobody will ever report a bill with every item of which he agrees, because it must be a compromise.

Mr. HULL. Then the gentleman thinks the committee made a mistake in the manner in which they dealt with it in 1909?

Mr. PAYNE. I do not. I regard the present tariff law, as I have said before, and as you will acknowledge some day, as the best tariff law put on the statute books since 1850, and I am willing to meet any of you and debate on that question anywhere or any time, or with any other man in the United States, and I will prove it to you by the statistics of the Government. But we might have done better if we had had a tariff board at work a year or two before that. I did not know it then. I realize it now.

The gentleman from Pennsylvania [Mr. PALMER] says that we discredit the report of this Tariff Board. Well, we formed a wool bill. The gentleman from Connecticut [Mr. HILL] and myself both had a good deal to do with the formation of that bill. We did not agree in all of the particulars. We disagreed on some. He had his way on some things, and I had my way on some other things, as the gentleman knows. When we got through with it, we got through with the best woolen schedule that was ever made up to the present date, without any question. We got through with the schedule, we reported a schedule to the committee, and it ought to have been adopted. You ought to have voted for it over there. We prepared a way to reduce the tariff on wool and woolens, and if you had accepted it it would have been a law to-day, and it would have been a substantial reduction on wool and woolens. What did you do with it? Beyond the one reading in the committee I doubt if any one of you ever read that bill through or ever considered it or have any knowledge of it, if not entirely ignorant of it and its contents to-day. I became discouraged. And when the cotton report came in I did not care whether the bill was prepared or not, so far as I was concerned. What was the use? It was like the man in Scripture, casting pearls be-

fore some neighbors or inhabitants in those days. It was of no use. I am not reflecting on you, gentlemen. I am simply saying it was as useless as was the casting of pearls in those days.

It met no response. I agree with the encomiums that have been placed upon my friend from Connecticut [Mr. HILL]. I have been pretty close to him a good many years in tariff matters on the Ways and Means Committee, and I think perhaps he and I were more of one way of thinking in the formation of the tariff act of 1909 than perhaps any other two members on the committee. He is a man of great industry. I do not always agree with all he says and all his conclusions, and, of course, he does not agree with mine always, but that does not prevent my appreciation of him. But I never yet have taken a tariff bill on the strength of any one man's judgment, and I never will. Now, this bill was brought before the committee, and I never heard it read until I heard it read in committee. It was the only cotton bill that has been read in the committee at this session of Congress. My friends on the other side expressed a desire to hear it read, and I stated to the committee, and I will state that now, because the gentleman from Pennsylvania has stated some things that occurred there, that that was the first time I had read that bill of Mr. HILL'S. Perhaps it was my own fault. I was not prepared to say I was for that bill or that I concurred in the judgment of the gentleman from Connecticut [Mr. HILL] that it was just exactly in accordance with the Tariff Board report. I criticized it in the particular that it had abolished specific duties and had nothing but ad valorem duties in it. It may be that after a study of it I might have acceded to that, but I had not had the study. I believe in specific duties wherever we can have them, because they stop fraud, and that is the best judgment of every man who has had the administration of a tariff act since Walker, and Walker was the only exception.

I was not prepared to vote for it, and I so announced to the committee, and I did not vote for it. I have not examined it yet. What is the use? Why, if we presented to you a bill in exact accordance with what you believe, you would not dare to even vote for it. You set aside your manhood in the interest of trying to carry the country next November. Why, if Mr. UNDERWOOD says it is all right, his fellows on the Committee on Ways and Means say it is all right, and anything that the majority of the Ways and Means agree to you accept without thinking, without study. If it is true that a man formerly said that Congress was too lazy and too indolent and too ignorant to prepare a tariff bill, he must have been a prophet, and must have foreseen some of the performances that have occurred in our presence right here in this House of Representatives. [Laughter.] Why, if he said it about this Congress none of you would dare to go into court and sue him for libel. You would not dare to.

What have you done? What do you know about this cotton bill that is pending now? What do some of the new members of the committee know about it? I appeal to my genial friend from Missouri [Mr. SHACKLEFORD], and ask him to tell if he knows anything about it. I yield him time now.

Mr. SHACKLEFORD. Mr. Chairman, I have no pearls to cast.

Mr. PAYNE. I thought that is all he knew about it. [Laughter.]

The CHAIRMAN (Mr. BAILEY). The time of the gentleman has expired.

Mr. PAYNE. Mr. Chairman, I would like to have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. RUCKER of Colorado rose.

Mr. PAYNE. I except my genial friend from Colorado [Mr. RUCKER], who has studied these questions and, having studied them, voted against these bills. I wish there were more like him over there. I do not know that I ought to tell the admissions I have heard in private conversations I have had with some of these gentlemen, and yet they did not tell them to me privately.

Mr. RUCKER of Colorado. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Colorado?

Mr. PAYNE. With pleasure.

Mr. RUCKER of Colorado. I want to say, in courtesy to the gentleman, that I do not follow him all along the line. I often find the gentleman is right, and I often find my associates on this side are wrong. I am trying to keep in the middle of the road. [Laughter.]

Mr. PAYNE. Well, I wish there were other gentlemen over there who were inclined also to keep in the middle of the road and were not inclined to get away up on one side, close against the rail fence, in order to file in and out after their leader on these questions. Gentlemen, wake up and study up on these propositions. Study them. I will help you if I can. I will help you to form a good tariff bill.

Why, some gentlemen on the Committee on Ways and Means have said to me that if I had offered that minority wool bill as a substitute for the wool schedule on the original Payne tariff bill there would not be any Democratic majority in this House to-day. I do not think there would be.

Mr. RUCKER of Colorado. That is a fact.

Mr. PAYNE. And I am in favor now of taking it up schedule by schedule, in accordance with the facts. I want the facts to appear in all of these schedules. I want to review the present tariff law and the facts as they appear on all these schedules. I am in favor of the fullest inquiry. Turn on the light. We tried to get it in 1909. Do not close the doors now.

Have you any criticism to make on the personnel of this Tariff Board? I have not heard any. Do you know the Democrats there? Of course, many of you know Mr. Howard. Mr. Page is an equally good man, coming from old Virginia. Talk with them. Go down and visit them and try to learn something. I wish to heaven you could go down and talk a few minutes with them before you take your vote on this paragraph; not simply to talk on the question of this appropriation, but to get a little general idea of what that board has been doing and the information which it has gotten together, and then you would be incited to hunt up that information; and then if you are going to put in a tariff bill for revenue only, you would not put prohibitory duties on the least expensive goods for "the poor people," whom you talk so much about, you know.

No; you would not put it on their goods. You would put a heavier duty, that was a protective duty, on the high grades of manufacture that the common people could not buy, that only the rich could buy. You would not reverse it, as you have in many of these "Underwood bills," and as you have in the bills that have come over from the Senate. Oh, study it. Go into a kindergarten on this business and learn it from the first principles. When you get strong enough, take up the reports of this Tariff Board and study those, and you may finally bring in a bill that will meet the approval of the American people when they come to understand it.

But you say the people are with you; that they are for a revision of the tariff. Well, go ahead. Possibly sometime you may make some of these bills into laws. You will not go much further after that. The empty dinner pail, the soup house, and all that business will come around. Things will be cheaper, perhaps, not according to the measure of wage, but according to the measure of money. Perhaps they will. I do not know. Do you know that nearly every item on which we put a lower rate of duty or which we put on the free list in that bill—and there were hundreds of them—costs just as much to the consumer to-day as it did before the cut was made in the duty? Somebody else is collecting that revenue and not the Government. The wholesaler, the retailer, the middleman are doing it. If you ever get your bills through they may do it for you. If they do, the condemnation and wrath of the American people may be postponed for a little while, but it is sure to come. Study these bills and lay up information against the day of wrath. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HULL. Mr. Chairman, I am opposed to the adoption of the pending amendment. The positions of the two political parties with respect to taxation are historic and fundamental. In view of the radical difference of tariff views and of party methods of writing our tax laws, it is utterly immaterial whether we create and have in existence one tariff commission or board, or a dozen tariff commissions or none. After all is said and done by those commissions, the two political parties come together in Congress and insist on writing the tariff laws upon the basis suggested by their respective party views.

During last summer I delivered some remarks on this floor in the course of which I gave a history of tariff board or tariff commission agitation, both here and abroad, and in the course of this review I submitted and proved by the utterances and the actions of the leaders of the Republican Party for more than 30 years, not only their views with respect to a tariff board or a tariff commission and its functions and possible efficiency, but also the policy of their party with respect to the utilization of a tariff commission in dealing with the tariff.

The whole truth is, Mr. Chairman, that the Democratic Party, dealing with the tariff as it undertakes to deal with it

from a revenue standpoint, has never needed a tariff board or tariff commission, and the Republican Party, dealing with the tariff from a protection view, has never wanted a tariff board or tariff commission except on two occasions, and those were occasions during which this party found itself and our present system of high protection confronted with a serious political crisis, which hazarded the existence of both.

In 1882 our Republican friends presented a proposition for a tariff commission. At that time, as now, the Democrats charged that it was an act of bad faith, that it was intended solely for the purpose of postponing and delaying honest tariff revision. The result was that they created that commission. It made its report, as the present Tariff Board has made its report. That report was not read by Congress. It was brushed aside. The Republican Congress later went through the pretense of revising the tariff, with the result that while the board had recommended a reduction of from 20 to 25 per cent, the revision showed an actual increase on an average from 42 per cent to 47 per cent.

Mr. RUCKER of Colorado. Mr. Chairman, I want to suggest that I observe there are only 13 Republicans in their seats to hear this speech.

The CHAIRMAN. Does the gentleman from Tennessee yield?

Mr. HULL. I yield to the gentleman from Colorado for a question.

Mr. RUCKER of Colorado. Would not the gentleman like more than 13 Republicans to hear his speech?

Mr. MANN. The gentleman ought not to say 13. That is an unlucky number.

Mr. RUCKER of Colorado. The gentleman from Illinois makes 14. I will call attention to the fact that there is no quorum present.

The CHAIRMAN. The gentleman from Colorado [Mr. RUCKER] makes the point that there is no quorum present. The Chair will count.

Pending the count,

Mr. RUCKER of Colorado. Mr. Chairman, I withdraw the point.

Mr. PAGE. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Tennessee be extended five minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that the gentleman from Tennessee may have five minutes more. Is there objection?

There was no objection.

Mr. HULL. Mr. Chairman, I desire to call attention in a few words to the past action of our friends on the other side with respect to a tariff commission. After this commission had been characterized by Republicans as a failure in 1882, and by Democrats as a fraud, and after its work had been deliberately ignored even by our Republican friends, some years following they were in power at both ends of the Capitol, and they were revising the tariff by the McKinley bill. At or just prior to this time it was proposed by a Republican to have a tariff commission. Our Republican friends at both ends of the Capitol ignored the suggestion of a tariff commission and characterized it as useless, inefficient, and unnecessary.

In 1897, when the Dingley bill was pending, a suggestion was made by one Republican that a tariff commission should be created for the purpose of revising the tariff. The Speaker of the House and the leaders and the membership of the House on that side peremptorily refused even to consider the idea of reenacting a tariff board or a tariff commission law. It was brushed aside, and from that time, as well as before, all the leaders of the Republican Party in both Houses of Congress, and the Chief Executive at times, set forth the contention that a tariff board or commission was absolutely unnecessary; that whichever party might be in power would revise the tariff according to its respective views, and this position has been held until, as the gentleman from New York [Mr. FITZGERALD] stated, the Republicans found the country in open revolt against their tariff revision of 1909, and then they suddenly espoused a little propaganda that had been commenced in 1907 by the National Association of Manufacturers, who, anticipating another revision of the tariff, had undertaken to secure the adoption or the enactment of a tariff-commission law in the hope that they might through this agency maintain the existing system of protection.

In 1908 they urged the Republican national convention to insert a provision in its platform calling for the enactment of a tariff-commission law. The committee on resolutions ignored it and characterized it as useless if not frivolous. It was not until 1909 and 1910, after this storm had arisen against the operation and the effects of the Payne law, that this sudden, and I might say deathbed, conversion has overtaken the gentle-

men on the other side, who now seemingly espouse with so much earnestness a tariff board or a tariff commission.

I said last summer, and I repeat it now, that in view of 30 years' record of that party, in view of the uniform utterances of all of its leaders, both in and out of Congress, this present pretended support of the tariff board or commission is nothing more than a downright deception on the part of gentlemen on the other side. [Applause on the Democratic side.]

I agree, Mr. Chairman, that they are in earnest in the ultimate purpose which they are undertaking to subserve, and that is the maintenance inviolate of the existing system of high protective-tariff taxation with its long train of evils, and they may construe this act that I call deception merely as strategy by which they would mislead the people of the United States. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GILLET. Mr. Chairman, the gentlemen on the other side of the House are finding great satisfaction and amusement in quoting extracts from speeches years ago by prominent Republicans opposing a tariff board. I am disposed to admit that until recent years a tariff board has been opposed by the dominant opinion in the Republican Party. But the Republican Party is not characterized by a narrow, bigoted adherence to opinion, and in that it differs from the Democratic Party, which, like the Bourbons, learns nothing and forgets nothing.

But where facts are brought to our attention, which properly ought to change our minds, we are ready to change; and I am ready to admit that the Republican Party, under the leadership and urgency of President Taft, has changed its opinion upon the Tariff Board and that it is now generally favorable to it, and for several years has advocated it.

I was pleased to hear the gentleman from New York [Mr. FITZGERALD] openly admit that the bill for a permanent tariff commission was defeated under his leadership by the Democratic Party. When the project was first seriously urged by President Taft a majority of both parties seemed to favor it, but the Democratic fondness for it seemed to diminish as ours increased, and at last by filibustering they killed it. I personally have for some years been in favor of a tariff board, thinking we could not have too much light on these intricate and difficult problems and that they ought to be studied in the open. How different that is from the position which the Democratic Party has taken in this Congress in their tariff bills. The Republicans, when we were in a majority and framing a tariff law, not having any tariff board to furnish facts, always gave extensive hearings open to all parties interested, and so attempted to base the law upon ascertained facts. The Democratic Party in this Congress, having at their disposal the exhaustive investigations of the Tariff Board, disdainfully refuse to make use of them, deny all requests for hearings, and apparently prefer to evolve a bill from their inner consciousness quite unhampered by any unconfutable facts or knowledge. They prefer to act secretly and in the dark.

On the most far-reaching and radical of all their bills I understand the Committee on Ways and Means, having framed and agreed upon a bill, kept its provisions absolutely secret, so that when it was brought into the Democratic caucus the members of their own party knew nothing at all as to what its provisions were, so carefully had the secret been guarded. Then, in the caucus when the bill was sprung, the Democrats were all converted to it, and in a few hours all constitutional objections and details of the bill were explained, and satisfactorily, their minds were made up, and it came out with the sanction of the Democratic caucus, notwithstanding the fact that a few hours before the great majority of the party had not an inkling as to what the measure contained.

That is a sample of Democratic legislation, and that being their method, it is not strange that they are opposed to a tariff board, it is not strange that they do not want any light. It is not legislation by a party or by investigation, it is legislation by a few leaders and a mass of blind followers. One objection I always felt to a tariff board was that I did not believe any bipartisan board could investigate facts and come to a unanimous opinion. I believed the facts and the deductions from the facts were so intricately and inextricably involved that the members could never agree, and that there would be necessarily a partisan report on each side. I think it is a strong proof of the ability and fairness and mental integrity of the members of this Tariff Board that their reports have come in unanimous. It is a result which I did not believe possible, and to my mind it is a monument to the extraordinary soundness and thoroughness and ability of the present Tariff Board. Therefore, to my mind our experience thus far fully justifies

the experiment that we have made. That board has been infinitely more successful than I supposed was possible. They have thrown light on the questions they have investigated, and to my mind they have opened a new era in the development of tariff bills. I believe we should have a permanent expert commission formed of men of such great ability as these gentlemen have proved themselves, in order that Congress may have the facts upon which tariff bills shall be framed. I am glad that it is the Republican Party that stands for it. I was glad to hear to-day the admissions that it was the Democratic Party that had tried to prevent it, and I believe that is bound to be the method of framing tariff bills in the future.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that debate on the pending amendment be closed in 30 minutes.

Mr. SIMS. Mr. Chairman, reserving the right to object, I want to say this to the gentleman, that this is a very important matter and there is politics in it; and a number of us not being members of the Ways and Means Committee who have to vote upon it and are to be held responsible for it at home want a little opportunity to say something as well as those gentlemen who happen to be members of that committee. Time has been extended liberally, and I think it ought to be.

Mr. FITZGERALD. Mr. Chairman, I am simply endeavoring to ascertain what is wanted. If I can ascertain what gentlemen still desire to speak and about how much time they desire, then I shall ask that debate be closed at the end of that time.

Mr. SIMS. I would like to have 5 or 10 minutes myself—say, 10 minutes—but I shall not use it all if I can help.

Mr. FITZGERALD. How much time is desired on the other side?

Mr. MALBY. Mr. Chairman, so far as I know, no one on this side of the House desires to speak further, except the gentleman from Wyoming [Mr. MONDELL] for five minutes, and I would like about five minutes when the discussion is through.

Mr. HILL. Mr. Chairman, I would like to have 10 or 15 minutes if it is entirely convenient, inasmuch as my name has been brought into the discussion.

Mr. MALBY. That will be convenient to me.

Mr. FITZGERALD. Then, Mr. Chairman, I move that all debate on the pending amendment close at 3 o'clock.

Mr. MANN. Mr. Chairman, I wish the gentleman, instead of making a motion in that way, would fix a certain time, because it always leaves everything in a mixed-up condition where we fix a definite time in that way. I suggest that the gentleman move to fix it in so many minutes—40 minutes, so far as I am concerned.

Mr. FITZGERALD. We have been discussing this particular amendment since half past 11. If we stop about 3 o'clock, that is as reasonable as anybody could wish. Mr. Chairman, I will make it 50 minutes.

The CHAIRMAN. It is moved that all debate on the pending amendment be closed in 50 minutes.

Mr. MALBY. I would like to inquire of the gentleman from New York how much time he will want on his side of the House?

Mr. MANN. Oh, about half and half.

Mr. FITZGERALD. There are three gentlemen on this side who indicate a desire to speak—

Mr. MANN. If there are 10 gentlemen they can have five minutes each.

Mr. MALBY. The gentleman from Connecticut says that he wants 10 or 15 minutes.

Mr. HILL. I would ask the gentleman from New York if he includes the request which I made for some time.

Mr. FITZGERALD. We are proceeding under the five-minute rule.

Mr. MANN. How much time does the gentleman want?

Mr. HILL. Fifteen minutes, if it is agreeable.

Mr. MANN. Make the request to close in 50 minutes, the gentleman from Connecticut to have 15 minutes.

Mr. FITZGERALD. I will not do that, because the gentleman from Illinois [Mr. RAINEY], a member of the Committee on Ways and Means, wants 15 minutes.

Mr. FOSTER. Why not couple with the gentleman's request that the gentleman from Connecticut have 15 minutes and the gentleman from Illinois have 15 minutes.

Mr. MANN. I have no objection; I presume the time would be divided between the two sides.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto be closed in one hour.

Mr. HEFLIN. I suggest in that connection the gentleman ask that the gentleman from Connecticut be given 15 minutes and the gentleman from Illinois 15 minutes.

Mr. MANN. That will give half an hour for other gentlemen.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that debate be closed on this amendment and all amendments thereto in one hour, and the gentleman from Illinois [Mr. RAINEY] have 15 minutes and the gentleman from Connecticut [Mr. HILL] have 15 minutes of that time.

The CHAIRMAN. The gentleman from New York asks unanimous consent that debate on this amendment and all amendments thereto be closed in one hour, and of that time the gentleman from Connecticut may have 15 minutes and the gentleman from Illinois have 15 minutes, and the remainder of the time to be disposed of under the five-minute rule. Is there objection? [After a pause.] No objection being heard, the request is granted. The gentleman from Illinois. [Applause.]

Mr. RAINEY. Mr. Chairman, I have listened with much interest to the address of the gentleman from Massachusetts [Mr. GILLET], who has just taken his seat, and to his criticism of Democratic methods of revising the tariff. He charges with evident sincerity that the majority in the present session of this Congress have proceeded to revise the tariff without information, that they have closed the windows through which light might come, and that they have preferred to proceed in the darkness. The speeches which have been made on this side, the reports submitted by the Democratic majority of the Ways and Means Committee demonstrate the fact that the statement made by the gentleman in that particular is not in accordance with the facts. He comes from a State where they believe in the doctrine of protection. Now, the Republican method of revising the tariff is exceedingly easy; the method adopted by them when they produced the tariff law which has just been overwhelmingly repudiated by the people at the polls. [Applause on the Democratic side.] They simply examine interested witnesses, those witnesses who reap a profit by the imposition of high protective duties. They obtain information from no other source and then when they are in doubt as to what rate of protection a schedule ought to carry, they just raise it, that is all. [Applause on the Democratic side.] That method will meet with the approval of the protected industries of the country, and the protected industries furnish the sneers of war for the Republican Party in national elections.

I have no sympathy with the criticisms of the methods of the distinguished gentleman from Illinois [Mr. CANNON], my colleague, who for four terms presided over the deliberations of this House. He was simply, in the administration of his office, what the Republican majority of this House permitted him to be and wanted him to be. After he had bestowed upon his fellow Republicans all sorts of honors and after the people were led to repudiate the Republican Party, they turned from him and said, Why, the thing this country needs is to put somebody else in as Speaker of the House of Representatives. He furnished a splendid opportunity for insurgents and near insurgents to come back to Congress by pretending to be insurgents when they were simply insurgents upon the question of Cannonism. I have no sympathy with that sort of thing which found an echo here this afternoon in this debate. It was possible during the eight years of his incumbency of that office any day to depose him and put somebody else in. They had the majority to do it, and they declined to do it. Cannonism was and is Republicanism. He furnished the Republican Party with the only leader they have had for a decade, and as soon as he was deposed they commenced to try to get along without a leader. Why, even here in this House you are doing that at the present time, drifting along without leadership; you are on a rudderless sort of cruise at the present time over troubled seas [applause on the Democratic side], not guided even by the stars. To-day, in the City by the Lakes, disorganized, broken, beaten, and discouraged, the remnants of the Republican Party are assembling for the purpose of holding another national convention. [Applause on the Democratic side.] Here in the House no Republican seriously thinks of following the gentleman from Illinois [Mr. MANN], my colleague, who has been selected as the nominal leader on your side. He does not seem to care whether you follow him or not; if he has ever developed a policy no one knows what it is. He never leads or tries to lead, and you never follow or try to follow. I get the impression often that here on the floor the Republican leader starts to lead without knowing himself which way he intends to go.

Mr. RUCKER of Colorado. But the ascendancy of the Democracy is rising in the same proportion.

Mr. RAINEY. I think the gentleman is right about it; and I want to say for the gentleman from Colorado, who has been charged this afternoon with being a Republican by the nominal leader on the Republican side, and no more serious charge in these days of repeated Democratic victories can be made against

a Democrat than to say that he shows Republican tendencies—I want to say for this old ex-Confederate soldier, who represents here a Colorado constituency and who sits on this side of the House, who recently in this Capital City assembled all the ex-Confederates who hold high office, and with no decorations in his banquet room except the Stars and Stripes, held a reunion, that he never has during the time he has been a Member of this House bolted a Democratic caucus. There have been times when he has not voted with the majority here—once or twice, perhaps—but he never voted against a majority of his colleagues without having first obtained their permission in caucus assembled. We have a rule which the Republican Members may not have—a Democratic rule—which provides that if a Democratic Member of Congress prior to his election has made promises and speeches to his constituents along certain lines he is not bound by caucus action if he asks permission of the caucus not to be bound. The gentleman from Colorado is a splendid gentleman of the old school, a vigorous enemy of Republican practices and tendencies, and a most valuable addition to the Democratic side of this House.

Mr. HULL. Will the gentleman yield?

Mr. RAINEY. I will.

Mr. HULL. I just want to say in that connection that I agree with the gentleman, and I intended to make a similar statement when I had the floor, but I was interrupted and did not have an opportunity to do so.

Mr. RAINEY. At the present time we are told by Republican Members of Congress, speaking upon this proposition, that Republicans are united, and it appears that you are. Of course you are united on this proposition. You are united on this proposition because you are Republicans, and you can always get Republicans to unite on any proposition that takes away from the people power and confers it upon the Executive. You were able for eight years to agree upon a similar proposition when you conferred all the power of this House upon the Speaker of the House of Representatives. We are told that the way to revise the tariff scientifically is to find out the difference in the cost of production at home and abroad and then perhaps deduct ocean-freight charges, and then by some sort of mysterious alchemy you contend we will have a measure that is fixed and unchangeable for revising tariff schedules. The fact is that men of the same race the world around, living along the same parallels of latitude, are working in about the same climatic conditions, in about the same kind of factories, and producing about the same sort of output and about the same amount per man. If they are of different races living in the same latitude they are producing different articles, and those articles do not compete with each other. It is impossible to arrange any definite standard as to what it costs to raise a bushel of wheat on farms in the same locality. A fertile farm here under proper management may produce twice as much as an unfertile farm in the same locality where the management is not quite so good. It is impossible to adopt any definite measure by which tariffs can be revised. The report of the Tariff Commission on the paper and pulp schedule shows that it costs varying amounts of money to produce paper in certain mills in the United States. In certain mills where efficient methods are observed it costs less than in other and poorer mills, and the same rule prevails with reference to all industries.

Now, what is to be the measure of difference? If you attempt to average the differences in cost of production per unit here and abroad and then levy tariffs in accordance with that, you will levy tariffs not needed by the most efficient mills and you will not levy as much as the mills of lowest efficiency need. The only measure, if you adopt that measure at all, by which you can satisfy manufacturers in this country is to equalize duties in accordance with the capacity of those mills which in the most expensive way produce the most expensive unit of quantity. It is impossible to do it in any other way. And so that brings us back to the only possible rule that can logically be adopted in this decade, when the people of the country are rebelling against extravagant protective tariffs—the only rule that can possibly be logically adopted is the rule which levies tariffs for revenue purposes only, a method of tariff taxation in which Democrats the country over believe.

We are told by the gentleman from New York [Mr. PAYNE], whose tariff bill has been so overwhelmingly repudiated, that we ought to turn in the light on the question, and he makes the generous proposition to us that if we want his assistance in revising the tariff we are welcome to it. The bills reported out by the Democratic members of the Ways and Means Committee and passed through this House by Democratic votes have been popular measures, and they have been popular measures because they have not met with the approval of the gentleman

from New York. [Applause on the Democratic side.] We will be able to continue our tariff program without the assistance of the man or the men who framed the bill which has brought to the Democrats in this House a majority of over 70. [Applause on the Democratic side.]

The idea that it is possible to arrive at the difference in the cost of producing an article abroad and here, and then use that as a method of impartial tariff revision appeals to those who have not studied the subject as possessing a measure of fairness. It proceeds always upon the theory that it costs more to produce an article in this country than to produce it abroad. The cotton report recently submitted by the President's Tariff Commission, if it is of any value at all, shows that we produce cotton goods in this country at the same cost or at less cost than the same goods are produced in England. Under these circumstances what would be the measure of tariff protection?

It costs in England and it costs here different amounts per unit of production in different factories. Are we to take as the measure of difference the lowest cost per unit of production in England and the lowest cost per unit of production here? In other words, shall we arrive at the cost difference by finding out what it costs in the best factories in England to produce an article and finding out what it costs in the best factories in the United States to produce the same article? We will probably find not much difference in cost if we adopt this standard. Sometimes the difference in cost will be greater here and sometimes it will be greater in England. Or shall we adopt the method of finding the cost difference between the products of the least efficient factories of England and the least efficient factories here? Or shall we try to average the cost of production here and abroad? If we do that, we invariably have a tariff not needed by the best factories for protection and not high enough to protect the least efficient factories.

If we adopt either of these illogical methods of revising the tariff the effect is simply to put a premium upon the inefficient factories and to enable the best factories to distribute dividends larger than ever on their watered stock. The logical result of the Republican position carried into effect will be this, that tariff protection will be regulated always by the cost of the most expensive unit.

Not long ago the President of the United States, in his Winona speech, pronounced schedule K, the woolen schedule, indefensible. We took him at his word, and revised that schedule first of all. It went to him with slight increases put upon it by the Senate. He vetoed the bill, not because the Senate had increased the rates fixed by the House, but he vetoed it because his Tariff Board had not reported. Slowly the months passed. Finally his Tariff Board reported. We sent back to him the same bill. It is in the Senate now on its way to the President. The President preferred to be responsible for 12 months' delay in revising this schedule in order to get the opinion of five men, which he valued more highly than the action of the 391 Members of Congress elected to represent in the lower House the various States of the Union, and he valued their opinion more highly than the conclusion reached by the Senate of the United States. The effect of the delay in waiting for the report of the Tariff Board is merely this: The people of the country on account of this 12 months' delay have paid \$50,000,000 more for clothes than they would have paid if we had not had this Tariff Board and if the bill had been signed by the President when it came to him from the Congress.

The time will never come when taxes will not be an interesting subject in this Republic. The admitted object of selecting a Tariff Board is to take away from the representatives of the people the power to control the levying of taxes. Of course this is a purely Republican theory.

The Republican Party, after building high a tariff wall around the country, after firmly establishing a system of taxation which gives to protected industries the right to collect taxes, which compels the consumers of the country to pay taxes which never reach the Treasury, after having been overwhelmingly repudiated on account of broken tariff promises by the people at the polls, seeing ahead still greater and more disastrous defeat, ask now for a simple and easy way to carry through the future years the system which has been repudiated by the people, the system against which the people are rebelling, the system of establishing and maintaining high tariffs for the purpose of protecting the profits of manufacturers. The way they propose to accomplish this result is to adopt the tariff-board theory, a method which will make it possible for five men, or more than that, or perhaps less, not responsible at all to the people, but only to the Executive, selected by the Executive, to relieve Congress of the burden and the responsibility of revising the tariff. The Democratic policy is that Representatives of the people, responsible to the people, in a

referendum vote held every two years, ought to originate revenue measures. If Republican theories and tendencies are to prevail in this country, it will not be long until Congress will be relieved of all its functions except the distribution of farmers' bulletins and vegetable seed.

We believe that the Ways and Means Committee of the House, responsible for tariff bills, should have ample assistance—the assistance of experts, to be selected by it and to be responsible to it and not to the Executive—we believe in the method which we have so far followed in this Congress in the bills passed through the House and on to the Senate—the method which is meeting with the approval of the people of the country—the method which we propose as Democrats to continue. [Applause on the Democratic side.]

Mr. MONDELL. Mr. Chairman, we read in Holy Writ of those who love darkness rather than light, because their works are evil—

Mr. SIMS. Deeds.

Mr. MONDELL. Yes; deeds. I stand corrected by a better Bible student, the gentleman from Tennessee. [Laughter.]

The Democratic Party has placed itself in this evil category in the matter now pending before the committee, for of all of the sources of light—clear, expansive, illuminating—that the country has ever known, the reports of the Tariff Board exceed them all. [Applause on the Republican side.]

But what is information, what is light, to a Democratic House in the matter of tariff except to confuse, except to annoy, except to prove the worthlessness and the indefensible character of their basic principles? I was going to say—they are not worthy of that name—their doctrine, touching the tariff. The idea that in a great country, with a standard of living far above that of any other nation on earth, with a rate of wages higher than that of any other people, and constantly increasing—the idea that in such a nation you can in all things compete with the underpaid, the miserably depressed, the hunger-driven labor of all the world, is not entitled to serious consideration by intelligent men. And yet, as I understand it, that is the theory of the gentlemen on the other side.

As against such a theory and in repudiation of such a theory we seek light and facts, the facts of the cost of production, and we have discovered that those facts can be obtained. They can be obtained so that they appeal to all thinking and reasoning men, and we are in favor of continuing the agency through which they have been and can be obtained.

Time was when, free from combinations in this country, with free competition in all lines, it was not material if a tariff rate was somewhat higher than the measure of the difference between the cost of production at home and abroad.

Mr. RUCKER of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. But in these later days the people have demanded that we should bring the tariff rates down to the difference between the cost of production at home and abroad, and in order to do that intelligently we must have information. We all know that there is no Member of this House who has sufficient knowledge and information upon which to base a complete tariff schedule. We all know that it is impossible to secure too much information. We all know that information can be obtained from this source—the Tariff Board—and inasmuch as we desire to reduce the rates as low as they can be safely reduced without subjecting our people to the ruinous competition of underpaid labor elsewhere, we desire the continuation of the Tariff Board, while our Democratic friends insist that this flood of light shall no longer be shed upon this all-important subject.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I am sorry I have no time left.

Mr. RUCKER of Colorado. I am going to extend the gentleman's time.

Mr. MONDELL. Thank you.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CULLOP. Mr. Chairman—

Mr. RUCKER of Colorado. Mr. Chairman, I want to ask that the time of the gentleman from Wyoming be extended three or five minutes.

Mr. CULLOP. I do not want that to be taken out of my time.

Mr. RUCKER of Colorado. Will the gentleman from Indiana yield?

Mr. CULLOP. I do not want it taken out of my time.

Mr. RUCKER of Colorado. Mr. Chairman, I ask unanimous consent, before the gentleman from Indiana begins, that the

time of the gentleman from Wyoming [Mr. MONDELL] be extended three minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. RUCKER of Colorado. Now, Mr. Chairman, the gentleman from Wyoming [Mr. MONDELL], proceeding as he does, is just like a trotting horse. The gentleman and I have been in the same business, breeding and racing horses. We know the peculiarities of a trotting horse. Sometimes it gets such a speed that it goes into a wall and butts its brains out; but here the relation must stop, because the gentleman from Wyoming has too much brains to be spent that way. But the gentleman, without intention, has said something here that is very interesting, to the effect that the Republican Party is pledged to a protection in degree governed with reference to the difference in the cost of production abroad and here. I want to say to the gentleman from Wyoming that I have never adopted that doctrine. That really goes further than I can go, because I do not believe that such a measure should be placed upon our production. The gentleman is standing by the old Republican doctrine; the Progressive Republicans are going beyond that; and I, as a Progressive Democrat, am going beyond the gentleman.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. I thank the gentleman from Colorado for extending my time in order that he might make a speech. [Laughter.]

Mr. CULLOP. Mr. Chairman, in 1909, at the time when it was proposed to establish a tariff board, I was opposed to the proposition, and the Democrats were assured by the distinguished gentleman from New York [Mr. PAYNE] that there would be no tariff board, and every stand-pat Republican upon that side of the Chamber was opposing the establishment of a tariff board.

It was not until 1911, after they had been defeated because of the passage of the Payne bill, that they became converts to the establishment of a Tariff Board, and then it was only done for the purpose of extending the opportunities for the tariff barons to exploit the pockets of the ultimate consumers of the country. [Applause on the Democratic side.] At the present rate at which the reports of this Tariff Board are being made it would take 28 years to revise the tariff. It is procrastinating and thereby delaying relief from a revision downward of the tariff. The Democratic Party has always taken the position that there was no need of a tariff board in order to levy a tariff for revenue in this country. Last year the manufacturers of this country turned out \$16,000,000,000 worth of finished products at a labor cost of \$3,250,000,000, a labor cost of about 21 per cent. Yet the Payne-Aldrich bill now in force levies an average duty of 47 per cent—more than double the labor cost of production.

The Democratic Party knew and the people of this country know that it requires no Tariff Board to show them that the tariff levied under that bill was unjust and unfair to the American people; that its duties are excessive and greatly exceed any difference in cost of production at home and abroad. I want to call attention now to the report of the Tariff Board on the cotton schedule, which conclusively shows our contention is correct. This is the bill about which the gentleman from New York [Mr. MALBY] on yesterday lamented over its introduction at this time. If you will read the report of the Tariff Board, as found on pages 13 and 14, you will find that, taking the measure of protection fixed by the Republican Party in their national platform of 1908, to equal the difference in cost of production at home and abroad, together with a reasonable profit, it needs no tariff. If the report can be relied on as correct in its statements, then our Republican friends have no room to complain. We are producing cotton goods in this country cheaper than any country in the world.

Now, Mr. Chairman, I want to call attention to some extracts from that report:

Figures are presented in the report showing that although the labor costs in the cotton industry are in many cases lower in the United States than in England, yet the actual hourly earnings in this country are, in most of the principal occupations, much greater.

They labor more hours and for less money under the Payne-Aldrich bill. And to-day we have an anomaly presented. One of the leading candidates of the Republican Party for President is advocating that there be written in the tariff bill as a law the provision that labor shall have the tariff that is levied. He confesses, as we have always contended, that labor has not been receiving the tariff as the Republicans have claimed in order to secure the votes of the laborers in this country. This claim contradicts all claims heretofore made on this subject.

It is an admission that his party has been deceiving the laboring man. Yet this candidate is the man for whom the stand-pat Republicans are to-day preparing the old steam roller which it is to roll over him at the coming Chicago convention. He is advocating the doctrine that labor has not been getting the tariff, as everyone knows, but that the owners of the industries have been receiving that part of the tariff as unearned profits. [Applause on the Democratic side.]

I call attention to another paragraph on this page of the report:

The conclusion that under present methods of production on many plain fabrics the cost of production is not greater in this country is also borne out by a comparison of English and American mill prices. A comparison of such prices on a large variety of these fabrics in England and the United States for the date of July 1, 1911, shows that in the case of plain goods the American prices at the mill was in no case much above the English mill price, while in the majority of cases it was lower. It should be noted, however, that American prices of this date relative to the price of cotton were somewhat lower than normal. The English prices are the regular quotations for the home market, and are not necessarily the prices for export and for neutral markets. In the case of fancy goods, however, where the looms tended to be necessarily less, the American mill prices were in most cases higher than the English.

The subject of prices is referred to below, but the fact that in the case of a number of leading fabrics the American manufacturer is selling at less than is the English manufacturer is corroborative of the statement that plain goods can be manufactured as cheaply in this country as in England. The report also gives information as to the ability of the American manufacturer to compete in neutral markets on goods of this kind.

Yet the effort of the gentleman from New York [Mr. MALBY] yesterday as a calamity howler was to make it appear in the face of this report that if this Democratic legislation, the cotton bill, was enacted into law it would shut down the industries of this country because of the want of an adequate amount of protection. I quote again from the same report:

A comparison of 60 specific samples for which finishing data were obtained shows that in most cases the differences between the charges in the two countries were slight, but that the American charges were slightly lower on most of the samples.

DUTIES IN RELATION TO COSTS OF WEAVING AND FINISHING.

The report includes a table of 48 selected plain goods on which the English mill prices and the American mill prices correspond very closely. It shows that in a majority of cases the American prices are somewhat lower than the English. On these goods the present duty varies from half the total American cost of conversion to more than twice such cost. The high figure, however, applies to only two samples. In nearly all cases the duty is more than 80 per cent of the total American cost of conversion, and in a majority of cases it more than equals the entire conversion cost in this country.

These figures show a large number of costs in which the duty per square yard on the cloth unfinished (in the grey) is more than equal to the total conversion cost. To take an extreme case, in the case of a plain heavy duck, the present duty is 8 cents per square yard, which is more than six times the total conversion cost, although only 38 per cent ad valorem on the foreign market value. The variations are very great, running from this extreme of six times the conversion cost to duties which are less than half of the conversion cost. The ratio of the duty to the conversion cost bears little relation to the ratio of the duty to the foreign market value. Thus, in some cases, duties which are less than 30 per cent ad valorem will be one and a half times the total American conversion cost, while in other cases duties of nearly 50 per cent ad valorem will be only three-fourths of the American conversion costs. In the greater number of cases the duties are greater than the total domestic cost of spinning and weaving.

In the majority of cases, so far as the actual samples are concerned, for which cost figures were secured, the increase in duty is in excess of the total actual increase in cost, due to the finishing processes. On the samples used the extra duty for bleaching ranges from half the total cost of bleaching to three times this cost. The extra duty for printing is from one-third the cost of printing to one and two-thirds the cost. In the case of dyeing quite similar conditions prevail. The additional duty for mercerizing in the case of these samples was from 40 per cent in excess of the cost of mercerizing to double the cost.

That the duty itself is double the labor cost in the production of the article.

The higher figure, however, applies to only two samples. In nearly all the cases the duty is more than 80 per cent of the total American cost of conversion, and in the majority of cases it more than equalizes the entire conversion cost in this country.

Now, that report clearly discloses the fact that to-day the duty is more than twice the labor cost of the article in this country. A tariff board could not levy a scientific tariff until men in business ability are made equal and all localities for production are similarly situated and equally located to the markets of the world. A tariff board can not make that condition. It is beyond its power to do so.

Now, I want to call attention to some of the articles upon which duties were levied in the metal schedule recently passed by this House, and show that in each case the duties are in every paragraph in excess of the labor cost of the production of the article.

Take cutlery, one of the most expensive in labor of all articles produced. Last year in labor cost there was paid in wages \$7,000,000. The amount of production was \$18,000,000. The

labor cost was 38 per cent, and the average duty is 31½ per cent. If the foreign labor cost of production was only one-half of what it is in America there would be sufficient to meet that difference and leave about 15 per cent as a net profit.

Mr. CANNON. Will the gentleman yield for a question?

Mr. CULLOP. I have only a short time.

Mr. CANNON. It is only a short question, and I will get the gentleman one minute more time.

Mr. CULLOP. Very well; please state it.

Mr. CANNON. Does the gentleman get his facts touching the cotton report from the report of the Tariff Board?

Mr. CULLOP. I am reading from the first volume of the Tariff Commission's report on cotton manufactures, on pages 13 and 14, as made recently by the present Tariff Board.

Mr. CANNON. And the gentleman believes that that report is correct?

Mr. CULLOP. I assume that it is correct.

Mr. CANNON. Then why not have more of it?

Mr. CULLOP. I will tell the gentleman why we do not want any more of it. Because it is a useless expenditure of public money to furnish information on what every intelligent man in the country knows or ought to know. [Applause on the Democratic side.] I may say in addition that I am reading it as a confession of the Republican Party of its erroneous position on this great question.

Now, Mr. Chairman, in the limited time I have remaining I want to call attention to as many of the articles as I have the time, to show that none of them was reduced to such an extent as will produce the result claimed by the calamity howlers on the Republican side of this House. Their fears are unfounded; if they will examine the facts and lay aside their blind adoration for the unjust and unfair system to which they stand pledged for the benefit of the big campaign contributor, and which plunders the ultimate consumers of the country; they will concede their position is absolutely untenable. In the new bill just passed take, for instance, cutlery, which I was considering when interrupted by the gentleman from Illinois.

According to the census reports on manufacturing we produced last year in round numbers \$18,000,000 worth, and paid for the labor which produced it \$7,000,000. The labor cost was 38 per cent, the average duty was made 31½ per cent. Now, if the foreign labor cost was only one-half of what it is in this country, which no one will claim, it would equal 19 per cent, then the duty would cover the difference in labor cost and 11½ per cent for profit, which all must confess to be a reasonable one.

Again, take files: We produced \$4,390,000 worth. There was paid for the labor in their production \$1,500,000, so that the labor cost was 34½ per cent. The duty is fixed at 25 per cent. If the foreign labor cost in their manufacture is one-half of what it is in America, which we do not concede, it would be 17 per cent. The duty then is 8 per cent more than the difference in the cost of labor production at home and abroad.

Again, take screws: We produced over \$2,000,000 worth last year. There was paid for the labor in their production \$500,000. The labor cost equaled 25 per cent and the duty is fixed at 25 per cent. If the foreign labor cost is only one-half of what it is in this country, a thing we do not concede, it leaves 12½ per cent profit in duty to the manufacturer of this article.

Again, take firearms: We produced last year \$3,075,000 worth. We paid in wages for their production \$3,722,000. The labor cost equaled 45 per cent. In this item the labor cost is probably higher than in any other of our manufactures. The duty is fixed at 35 per cent. If it only cost one-half in foreign countries to produce these articles that it costs in this country, then the labor cost there would be 22½ per cent, a thing we deny, but it would leave a profit to the manufacturer over and above the difference in labor cost of production at home and abroad of 12½ per cent.

Again, take watches: The labor cost is fixed at 40 per cent. The duty is 30 per cent. If they can be produced in foreign countries for one-half of the labor cost entailed here, a fact which we deny, then the labor cost abroad would be 20 per cent. The duty in this item would pay the difference in labor cost at home and abroad and leave 10 per cent as a net profit to the manufacturer.

Again, take clocks. The labor cost is 40 per cent. If the labor cost of producing the same article abroad is one-half of what it is here, a thing we deny, then it would cost the foreigners to produce these same articles 20 per cent for labor. The duty is fixed at 30 per cent. This would pay the difference between the labor cost of production at home and abroad and leave an excess of 10 per cent.

Again, take tools. We produced last year \$20,000,000 worth. We paid for wages in producing them \$6,000,000, so the labor

cost was 30 per cent. If they can be produced by foreigners by one-half of the labor cost here, a thing no one will claim, then the labor cost abroad would be 15 per cent. The duty is fixed at 25 per cent; this would pay the difference in cost of production at home and abroad and leave an excess of 10 per cent.

If I had the time, I could go on and take other items in the bills which the Democratic House has passed and show the same facts to exist relative to every other item contained in those bills. The duty has not only taken care of the difference in cost of production at home and abroad, but has left a large excess as a net unearned profit to the manufacturers. These duties were not fixed for the purpose of protection, but for revenue, because of the extravagance of the Republican Party in public expenditures; they are made necessary in order to raise revenue to meet these large expenditures.

This clearly demonstrates the fact that we do not need a Tariff Board to ascertain what duties should be levied, and therefore it is a useless expenditure of public moneys to maintain a board which can serve no good purpose to the country, but only to delay a proper revision of the tariff and give the trusts and combinations a longer period of time to exploit the pockets of the ultimate consumers of the country. For this reason I opposed the Tariff Board in 1909, and have done so every time it has been proposed from that time up to the present, and expect to continue to oppose it for the reasons herein given. [Applause on the Democratic side.]

Mr. HILL. Mr. Chairman, there are two things that I greatly desire for my country. One is peace and the other is prosperity. I am in favor of peace by arbitration and not by force. For that reason I wish that we might have an army large enough for a national police at least, and a navy strong enough for the national defense, and I objected very seriously the other day when the Democratic Party attempted to cut down the Army by five regiments, and absolutely did cut out from the naval estimates two battleships.

I remember distinctly in 1898 when the solid Democratic Party sitting on that side of the House demanded that this country should go to war with Spain, and, backed up by a few Republicans, against the protest of the eminent gentleman from Illinois and others, they succeeded ultimately in doing it after the battleship *Maine* was blown up.

In my judgment conditions to-day are far more serious, and I do not want to see the Army of the United States and the Navy reduced in the face of such conditions as exist to-day with reference to both Cuba and Mexico.

I also want prosperity, and I am a believer in the doctrine of protection that has given prosperity to this country such as is unparalleled in the history of the world, but we have soon to go into a political campaign, gentlemen, faced by the danger of the protective system being destroyed by the Democratic Party if they secure control.

Now, as a proof of that, I want to give you the opinion on this subject of each candidate who will present his name for acceptance at the Baltimore convention.

Mr. Harmon says:

The first step must be to redeem the tariff from its perverted use and restore it to its proper place as a revenue measure by gradual reductions so that all concerned may have time to prepare for the change.

I remember the change in 1894. I do not want to have to prepare for another change of that kind. It is not necessary to quote from Mr. UNDERWOOD, but I will. Said he:

We on this side of the House do not believe that a tariff should be levied for purposes of protection.

Let me quote from the Speaker, a man who is always frank and honest and who is never afraid to express his opinions, a man who, in my judgment, is to lead the Democratic hosts in the next campaign. At the close of the Sixty-first Congress he said that he "was for a tariff for revenue only"—and that is a thing that I am against—and without any qualification he adds that—

It means a tax on everything, having no free list, or a very small one, if any.

Gov. Wilson spoke the other night in New York, and, referring to the Republican platform of protection, he said:

It is not too much to say that the whole proposition is ignorant and preposterous.

So far as I could judge from reading his speech twice, I am of the opinion that he would gladly wipe out all tariffs in this country at the earliest possible moment—tariffs either for revenue or protection. That is my judgment. The prosperity of this Nation has come through a wise application of the policy of protection, until the marvelous development of our industries has made lower rates possible. The clear, unmistakable call

to a change of method, but not a change of policy, came to us in 1901, on September 5, when President McKinley said:

We have a vast and intricate business, built up through years of toil and struggle, in which every part of the country has its stake, which will not permit of either neglect or undue selfishness. No narrow, sordid policy will subvert it. Our capacity to produce has developed so enormously and our products have so multiplied that the problem of more markets requires our urgent and immediate attention. The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. If, perchance, some of our tariffs are no longer needed for revenue, or to encourage and protect our industries at home, why should they not be employed to promote and extend our markets abroad?

I shall not follow down the history from that time to this, for I have not the time, but I want to call the attention of Republicans, as well as Democrats, to the platform of 1908, wherein it defines the true measure of protection which has been quoted so often and so effectively. What does it say besides that? It says:

The aim and purpose of the Republican policy being not only to preserve without excessive duties the security against foreign competition to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage workers in this country, who are the most direct beneficiaries of the protective system.

I believe that it is the duty of the Republican Party and every Representative here, from time to time, if a tariff rate becomes excessive, to vote to reduce it to the point of protection and not one particle below that, and I believe for that purpose that we ought to have a permanent, independent tariff board, whose business it shall be to study and collect the facts, as the European tariff boards do, and submit them to us. [Applause on the Republican side.]

Mr. Chairman, I remember in 1909 there came a man before the Ways and Means Committee. He made egg beaters. He came from the northern part of the country and demanded a higher tariff on egg beaters. He was asked various questions—whether he was making money, and he said he was, and a lot of it; and whether he had any foreign trade, and he said he had, all over the world. Then he was asked whether there was a profit in his business, and he answered yes; but yet he demanded a higher tariff. I said to him in the presence of the committee, "For heaven's sake, what do you want a higher tariff for?" and he replied, with a brazen effrontery that I have never since forgotten, "Because I want to make more money."

I was ashamed of myself, I was ashamed of the man, and I want no possibility of such a thing as that being repeated. I stand here to-day to say that, in my judgment, the Democratic Party is making a mistake, making a mistake politically, making a mistake economically, when it stops the appropriations for the Tariff Board, nonpartisan, not a Republican tariff board, not a Democratic tariff board, not a tariff board hitched to a partisan committee as the tail of a Democratic kite, not a partisan board hitched to a Republican committee in the Senate as the tail of a Republican kite, but a tariff board made up of independent, nonpartisan men, with a certainty of permanent tenure of office, independent of political positions, honest in their convictions—yes, honest as protectionists, honest as free traders, honest as revenue-tariff men. I would trust any of them put in that position. I want to see such a board as that maintained. It has done wonderful work.

To his everlasting credit President Taft put two wide-awake Democrats on the board in cooperation with three Republicans at the close of the last session when the Democratic Party defeated the bill for a permanent tariff commission. So far as he could he made it permanent; so far as he could he made it nonpartisan. I believe that I owe it to William H. Taft as the present President of the United States, as the next nominee of the Republican Party, and the next President of the United States, in my judgment, to stand squarely behind him and put forward every effort in my power to secure an appropriation for a tariff board and the continuance of a nonpartisan examination of the basic facts of every industry. For one I am not content, when he sends in a message with a report from such a board, earnestly and officially recommending to Congress the immediate revision of the schedule upon which the report is made, to answer "What is the use?" I am not ready to make that reply.

Gentlemen, I am going home to my constituents this fall. I am going to make a campaign on an honest tariff, backed up by intelligent investigations, before any schedule is touched. I stand for the Payne bill, unless we have an intelligent investigation before it is amended. It is a good bill. It would have been better if it had become a law as it passed the House; but it is a good bill as it is. It has mistakes; but what legislation has not? But it made a reduction of 14.24 per cent of the tariff which would have been collected by the Dingley law had it con-

tinued in force. I know some of my friends think that is one of the worst features of it. I do not agree with them; but the country does approve the Payne bill, so far as the actual reductions are concerned. Now, I want to see that bill stand. It gave us the maximum and minimum tariff law. It gave us the Tariff Board; it gave us the Customs Court; it gave us the greatest reduction in the tariff that has ever been made in the history of this country by any one act of legislation, and I want to see it stand until it is amended schedule by schedule—every excessive rate cut out, all inequalities corrected—under the leadership for another four years of William Howard Taft, who signed it. That is the position I am taking. [Applause on the Republican side.] I am for a tariff board. Now, what is the alternative? The alternative is just simply this: You abolish the Tariff Board and you go back to the old system. I think, gentlemen, you are ashamed of the old system yourselves. You Democrats can take no credit to yourselves, for the last tariff you made was denounced by your own President as being branded with perfidy and dishonor, and, if I am not much mistaken, the cotton schedule which was last reported on was the ground on which that declaration was made. There are mistakes in the present one, mistakes which Chairman PAYNE corrected in the House, but which were put back in the Senate. I stand, therefore, in favor of its revision. You can not revise it too quickly for me. The facts shown by the Tariff Board report makes it plain that it should be corrected; and when that is done, whether we are under the leadership of William Howard Taft—as I believe we will be—or under the leadership of my genial friend from Missouri, CHAMP CLARK, who his political friends hope will be their leader [applause on the Democratic side], I want to see the responsibility for the basic facts in regard to tariff legislation put on an independent nonpartisan tariff board and the credit for appropriate legislation given to the dominant party. [Applause on the Republican side.]

Mr. SIMS. Mr. Chairman, it is always a pleasure to hear the distinguished gentleman from Connecticut [Mr. HILL], but difficult to follow him. But I feel that I ought to pause here long enough to state that in his selecting the present President of the United States for reelection he was applauded the first time by five Republicans and the last time by one out of the number of Republicans present.

Mr. HILL. That does not trouble me, I am planted on a rock. [Applause on the Republican side.]

Mr. SIMS. Certainly, just like the *Titanic* is planted on a rock, 10,000 feet below the surface. I do not see why we should have all this row about a tariff board. We are not making or trying to make, because it is impossible under the present conditions, an ideal Democratic tariff. We have had high protection for 50 years and conditions have grown up under that high protection which we have to meet, and it is a question of judgment about how much of this high protection we shall take off, but the Democrats are all united that the tariff should be lower, and we are not so ignorant that we can not count the rails and see that a fence is 10 rails high, and we can certainly take 2 rails from that fence without having a scientific expert board to tell us whether it is 10 rails high or not. [Applause on the Democratic side.] Let me tell you what the position of an ideal protectionist is. He is a man who believes in a tariff on imports that absolutely prohibits the imports that compete with American manufactures. Now, that is true, and my friend from New York [Mr. MALBY] knows it is true, because it is not full protection unless it does.

Mr. MALBY. Will the gentleman give way?

Mr. SIMS. I have only five minutes.

Mr. MALBY. I prefer to state in my own way my own opinion.

Mr. SIMS. If the gentleman would not be embarrassed I have no doubt he would. The gentleman knows that the bedrock protection argument is that we make a prohibitive tariff and let home industries keep down prices by competing with each other. What does the Democratic Party need with a tariff board? We do not believe in protection. We do not want any excuse for protection. An ideal revenue tariff is one levied only on articles not made or produced in this country, just as a Republican ideal tariff is one that is levied exclusively on articles made in this country. For revenue purposes we may not be able to get revenue enough by levying on noncompeting articles only, and therefore we have got to levy something on competing articles. Our purpose is to get revenue instead of profits to private individuals.

My friend from Connecticut [Mr. HILL] met one honest man, and he seems to have disgusted Mr. HILL when that man came before the committee and told him he wanted more protection because he wanted more money. That man was honest. That is what they all want it for. If he had told the gentleman from

Connecticut that he wanted more tariff in order to give his laborers higher wages, the gentleman from Connecticut would have put on a smile and said, "You know that I am the friend of the laboring man." You have no use for a man who comes before the committee and says he wants to make more money as a reason for wanting higher tariff protection.

We are in a condition where we can not be ideal Democrats. Why? When a man has been drunk for six months you can not take all the liquor away from him at once, can you? We have had high protection dope for 50 years, and the country has got the protection jimjams, and we can not take it all away at once. That is the reason we can not pass ideal Democratic tariff bills at this time.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. SIMS] has expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SIMS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendment the bill (H. R. 23626) to appropriate \$300,000, or so much thereof as may be necessary, to equip all Army transports with all lifeboats and rafts necessary to accommodate every person for which transportation facilities are now provided on said transports, and the crew of said transports, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to furnish to the House of Representatives, in compliance with its request, a duplicate engrossed copy of the bill (S. 3175) to regulate the immigration of aliens to and the residence of aliens in the United States.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. McCALL. Mr. Chairman, I am in favor of a tariff board, not because I believe it is going to be an infallible instrumentality of government, but because I believe it is going to be a very useful instrumentality. I would not agree to abdicate my judgment as a Representative to accept the judgment of any tariff board, but I believe there is no better way—and I have believed that for a long time—to collect the basic facts of industry, facts that are most important to be considered in framing a tariff bill, than by the instrumentality of a scientific commission.

Now, the gentleman from Tennessee [Mr. SIMS] has said, "What is this row all about?" I agree. I can not see any reason for division between the two sides of the House on the question at issue here. It is simply whether we are going to perpetuate an instrumentality for collecting facts which would be useful to the Democrats as well as to the Republicans. It is said that only two schedules have been investigated and reported upon—the woolen and the cotton schedules. Those are two very difficult schedules. They have both been reported upon and the work chiefly done within a year; and then, in addition to that, most of the important information—and I invite the gentlemen on the other side to say if I am not correct—most of the important information that the majority had use of in forming their chemical schedule was obtained from the Tariff Board.

The gentleman who had charge of the chemical bill before the House acknowledged the great obligations that he and his associates were under for the facts gathered and the work performed by the Tariff Board.

Now, this board has been called "a board of mere clerks." I do not believe that there is any body in the service of the Government that has any better membership than that. We all know that Prof. Emery was at the head of the department of economics in one of the greatest universities of the country—nominally, a Republican. We all know that Prof. Page was at the head of the department of economics of another great university—the University of Virginia—and nominally a Democrat; and if we were asked to pick out a Member of this House to serve upon the Tariff Board, I do not believe that we could pick out a man who would command the respect of his fellow Members more than was commanded by William M. Howard, Democrat, of Georgia. Then we had two other members of the board—one who knew especially about the conditions in agriculture, and the other who knew especially about the administration of our customs laws.

I believe that this House will make a great mistake if it shall vote not to continue the appropriation and to keep going the splendid piece of machinery that has been set up in the creation of this board.

A year ago, as has been said, the leading Members upon that side of the House were in favor of this organization. To-day

the Republicans are generally in favor of it. You do not need to adopt the theory in regard to the cost of production in framing your tariff, because you can utilize the facts and apply them to any theory upon which you think tariff revision should proceed. And I think it would be a very great mistake if we should do away with this board and refuse to vote for the amendment which has been offered by the gentleman from New York [Mr. MALBY]. [Applause on the Republican side.]

Mr. GRAY. Mr. Chairman, I have heretofore given my views respecting the character of this so-called Tariff Board, and explained the process by which it was pruned of all useful power and authority and made a servient tool to hinder, delay, and postpone the judgment of the people.

I am opposed to the appropriation asked for by this amendment for the reason that there is no existing law to support an appropriation for a tariff board, and no tariff board is authorized by the amendment offered.

The claim is made that section 2 of the act of August 5, 1909, commonly known as the Payne law, supplemented by the provisions of the appropriation acts of June 25, 1910, and March 4, 1911, creates a board to investigate the tariff and obtain reliable data to be used as the basis of tariff legislation.

Section 2 of the Payne law relates solely and exclusively to the maximum and minimum tariff rates, and provides for the enforcement of such rates by the President accordingly as foreign nations may be found to discriminate against our exports, and no power or authority is given the President for any other purpose.

There is not one word, line, or sentence to be found in all said section 2 which in any way pertains to any investigation of the tariff as a basis for legislation, or to authorize the President to employ any person to make any investigation or any examination for the purpose of obtaining tariff data to be used in tariff revision.

And while both the appropriation act of June 25, 1910, and the appropriation act of March 4, 1911, assume to grant power to investigate the tariff, yet by express limitation in both of these acts the power granted is made to relate only to the power of the President to employ persons to assist him in the discharge of his prescribed duties of securing information as to what nations, if any, are discriminating against the exports of the United States for the purpose of enforcing the maximum and minimum tariff rates, and not to secure information for use in tariff legislation.

Although the provision in both is made to include "such investigation of the cost of production of commodities, covering cost of material, fabrication, and every other element of cost of production," these words are immediately followed by the words "as authorized by said act," which refer to section 2 of the act of August 5, 1909, in which no power or authority can anywhere be found.

While the provision in these appropriation acts assumes to grant power to investigate the tariff, it is only for the purpose "as authorized by said act," which refers to said section 2, conferring upon the President power to employ "such persons as may be required to assist the President in the discharge of the duties imposed upon him by this section" in the ascertainment of facts for the application of the maximum and minimum tariff rates.

No power can be held granted, by these provisions, to investigate the tariff for the purpose of furnishing a basis for tariff revision, as no investigation is authorized for such purpose by the act referred to.

Neither of these appropriation bills gives this body even the name or style of a "tariff board" or "tariff commission," but instead leaves them with the meaningless designation of "such persons."

Neither of these appropriation bills empowers this body to examine witnesses under oath or to compel the production of books or papers or to proceed with even the common formalities to observe truth or to guard against error. Neither of these appropriation bills empowers this body to investigate the tariff nor gives authority to obtain reliable tariff data for the basis of tariff revision.

And the amendment now offered to this bill merely follows the language of the appropriation acts of June 25, 1910, and March 4, 1911, and likewise makes no provision for the examination of witnesses under oath, nor for the production of books or papers, nor for the common formalities to observe truth or to guard against error, nor for any investigation of the tariff for the purpose of obtaining reliable data for use as the basis of tariff legislation.

But I am in favor of and will support a good-faith tariff board, not because I have greater confidence in such a body

than I have in a special committee directing an investigation with the aid of experts and statisticians, but because the existence and experience of such a body would clear the atmosphere of delusive claims made only to delay and postpone tariff revision, and because I believe that Congress should keep an open door to all information from whatever source relating to the adjustment of the tariff and in obedience to all party demands until the people are relieved from the burden of excessive tariff taxes.

I am in favor of a tariff or revenue board to be nominated by both the majority and minority of the Ways and Means Committee of the House of Representatives, elected by said House, and made responsible to both the House and the Senate, instead of appointed, controlled, and directed by one-man power—the Executive only. The long fight from monarchy to republic has been to wrest power from one man usurping the rights of the people and their chosen representatives and exercising both legislative and executive authority. Even the power vested in the Speaker of the House of Representatives over the appointment of committees has had to be reclaimed to the whole of the people's representative to prevent abuse and to secure consideration for popular demands.

I am opposed to the exercise of such legislative power by a Republican President. I am opposed to such legislative power being exercised by a Democratic President. I am opposed to the exercise of such legislative power by any President or by any one man clothed with either legislative or executive authority. The grant of such legislative power to be exercised by the Executive is reactionary and a move to evade and postpone the popular will.

I am in favor of a Tariff Board empowered to examine witnesses under oath and to compel the production of books and papers for verification. Such power is a necessary preliminary to the validity of the simplest judgments of inferior courts for the smallest amount of money or for an order calling for the most trivial mandate or injunction, and without which all is a nullity and without force or credit. I am in favor of a Tariff Board empowered to make thorough investigation and examination into production, commerce, and trade of the United States and of foreign nations, and of all conditions affecting the same, and to obtain information useful in tariff legislation, including all power and authority embraced in the amendments offered in the Senate to the Payne law by the Insurgent Republicans and rejected, voted down, and stricken out by the Senate Finance Committee and by the House conferees during the consideration of the Payne law.

Mr. HEFLIN. Mr. Chairman, has all time been consumed?

The CHAIRMAN. Three minutes are remaining.

Mr. MALBY. How much time is there left?

The CHAIRMAN. Three minutes.

Mr. MALBY. Mr. Chairman, very little can be added upon this side of the House with reference to the necessity and propriety of adopting the amendment which I have offered.

I have listened with extreme interest to my friends on the opposite side, in the hope that they might state, for the benefit of the House and the country, something that would indicate their exact position with reference to the tariff; but I have not heard them offer an intelligent explanation, so that the common people can understand exactly what they may expect if the Democratic policies go through.

Whether they are in favor of free trade, or whether they are in favor of a tariff for revenue only, I do not know. They content themselves with saying that the present tariff is an iniquitous kind of a measure. Whether it is so because it affords protection to our industries, or affords too much protection, I do not know, because none of them has defined just what they mean when they make their charges in relation to it.

I want to say to my friend from Tennessee [Mr. SIMS] that so far as I am concerned I want the tariff of this country to be made high enough, so that the laboring men of this country will be permitted to manufacture what the people of this country have to use and wear. [Applause on the Republican side.] And I am in favor of whatever tariff is high enough to accomplish that purpose.

I appreciate the fact that when over \$1,500,000,000 worth of goods are imported from foreign countries, as they were into this country during the past year, those goods have replaced an equivalent, or at least a large amount, of American labor and American prosperity in order that the importation might be made; and the smaller that importation is, within the bounds of reason, I am in favor of providing that the benefit shall go to the American laborers and the American citizen. In order that we may ascertain what that tariff shall be, I am in favor of getting all the information that we can upon that subject, including that which will come from the Tariff Board.

But if we can not have a Tariff Board, I would rather have the Payne-Aldrich bill, the McKinley bill, or the Dingley bill, under which this country has had more prosperity than it ever had before in all the country's existence. [Applause on the Republican side, and cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from New York [Mr. MALBY].

The question was taken, and the Chairman announced that the "noes" seemed to have it.

Mr. MALBY. Mr. Chairman, I desire to have a count.

The committee divided; and there were—ayes 42, noes 81.

Mr. MALBY. Mr. Chairman, I respectfully ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. FITZGERALD and Mr. MALBY.

The committee again divided; and the tellers reported—ayes 47, noes 72.

Accordingly the amendment was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

EXECUTIVE.

To enable the President to continue, by the employment of accountants and experts from official and private life, such officials to receive no compensation beyond their official salaries, to more effectively inquire into the methods of transacting the public business of the Government only in the several executive departments and other executive Government establishments, with the view of inaugurating new or changing old methods of transacting such public business so as to attain greater efficiency and economy therein, and to ascertain and recommend to Congress what changes in law may be necessary to carry into effect such results of his inquiry as can not be carried into effect by Executive action alone, and for each and every purpose necessary hereunder, including the employment of personal services at Washington or elsewhere, \$75,000: *Provided*, That not exceeding three persons may be employed hereunder at rates of compensation exceeding \$4,000 per annum. And a report hereunder shall be submitted at the last regular session of the Sixty-second Congress and not later than December 31, 1912.

Mr. MANN. Mr. Chairman, I move to strike out the last word, for the purpose of making an inquiry. This says a report shall be submitted not later than December 31, 1912. I take it that does not mean a final report.

Mr. FITZGERALD. In the provision that was incorporated in the bill for the current year a proviso was inserted requiring a report to be made by December 31, 1911. The purpose of this provision is to emphasize, if possible, the necessity of having the information submitted to Congress not later than the 1st of January. If it is to be of any value to the House in the preparation of the appropriation bills it should be submitted by the date designated.

Mr. MANN. I quite agree with the gentleman about that. There is such a provision in the current law, and various reports have been submitted, but they have not been final reports. I take it this does not mean a final report.

Mr. FITZGERALD. The gentleman understands that this provision is in the bill by consent. The only authority for this commission is the appropriation. It does not exist by virtue of any specific statute. The purpose is to make as emphatic as possible the fact that if these investigations are to be of service to us, the information should be submitted, so far as possible, at a time during the session when it can be utilized.

Mr. SHERLEY. Mr. Chairman, I do not now desire to delay the reading of that part of the bill which immediately follows, in which the public buildings are contained, and in which a number of gentlemen are interested, but I shall ask the privilege of the committee later on to speak in connection with the paragraph just read on the subject of a budget, both from the executive and the legislative end, and I make that statement now, in order that I may not be foreclosed in having that opportunity.

The CHAIRMAN. If there be no objection the pro forma amendment will be considered as withdrawn, and the clerk will read.

The Clerk read as follows:

Lebanon, Tenn., post office: For commencement of building under present limit, \$1,000.

Mr. HULL. Mr. Chairman, I move to strike out the last word. I made some reference the other day, when this bill was first being considered, to the condition of buildings system in which gentlemen of the House are, or should be, interested.

Last fall I was talking to the Supervising Architect, and it was then represented to me that a request upon that department for a substantial appropriation for the building at Lebanon, Tenn., would be asked for in this sundry civil bill; not some future bill, but the pending appropriation bill. Naturally that information was communicated to the people who were interested. At some period of time since last fall the proposed action of the Supervising Architect's Office was

modified so that now only a nominal appropriation is asked for and inserted in the bill by the Appropriations Committee.

I was also informed at a later and more recent date by the Assistant Secretary of the Treasury that under the system of construction of public buildings by the Treasury Department, if Congress should appropriate for buildings in any given amount that had not first been requested by the department in its estimates, this money would lie idle in the Treasury, and the Treasury Department would not direct the Supervising Architect's Office to utilize it. I desire to inquire of the gentleman from New York [Mr. FITZGERALD] if that is his understanding as to the present workings of the system over there?

Mr. FITZGERALD. My understanding is that these buildings are numbered, and that the department takes them up in their order, and even though an appropriation was made for some building out of its order, unless requested by the department for some special reason the department would not take up that building.

Mr. HULL. That is in conformity with the information given to me by the Assistant Secretary of the Treasury.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. HULL. Yes.

Mr. MANN. Why not try it, to find out?

Mr. HULL. Mr. Chairman, I was just coming to that phase of the matter, and certainly expect to do so. This illustrates the criticism I offered some days ago, in part, as to the operation of that department, as it relates to the public-building system. I think that Congress ought to designate the amount of money it desires expended annually in building construction, and not the Secretary of the Treasury. Congress ought to prescribe directions, or at least to retain control, over this construction work to a sufficient extent to enable us to know with some degree of definiteness when a building will be taken up or as to how the general building regulations of the Treasury Department shall be applied. As it is, no Member can tell what the Secretary of the Treasury may direct. He may direct the expenditure of \$15,000,000 one year and \$10,000,000 another year, with a result that the people interested, and the Members here who are held responsible to the people, know nothing for certain or with any degree of certainty as to what the policy of the Treasury Department will be the next year or the year after, or at any future time. Hence, when a building or buildings will be taken up can not be definitely known. If I did not think this committee would overrule the present action of the Treasury Department without waiting to adopt a law giving Congress immediate direction and control over this phase of it, I would hesitate to offer an amendment increasing this appropriation to \$10,000; but I know the Supervising Architect's office, if the judgment of architects on the outside is worth anything, can do much more work than it is now doing, and it should be directed, if possible, to do more work. They have several hundred models of \$50,000 buildings on file, and so it is entirely unnecessary for a new design, new drawings and specifications to be prepared in each instance. That is a useless expense.

I do not know whether this method of new plans is utilized as a means of delaying this work, but I do know, Mr. Chairman, that we owe it to ourselves to retain enough control over the operations of this immense department to have some definite idea as to what amount would be expended annually in this construction work and as to when buildings will be constructed. As it is now, a Member of Congress in one State may have a building completed before a building in his colleague's adjoining district will be taken up and the work of construction commenced. It is impossible to make the people understand this.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. HULL. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read, and I withdraw the pro forma amendment.

The Clerk read as follows:

Amend, page 11, line 8, by striking out "one thousand" and inserting in lieu thereof the words "ten thousand."

Mr. HULL. Mr. Chairman, I do not wish to take up the time of the committee unduly, but it is not real often that I consume much of the time of the committee or of the House. This is intended to get before the committee the question as to whether it desires to indorse the operation and present bad system, which has been devised by the Secretary of the Treasury, and which is in operation in the Treasury Department with respect not only to the amount annually expended in the construction of public buildings, but in respect to the method and the time of constructing buildings by that department. If it is the desire of the House that the Secretary of the Treasury

shall continue to exercise absolute direction and control in all these respects, that Congress shall retain no control with respect to the preparation of drawings, location of sites and buildings, and the time and the order in which they are constructed, but that it shall be left entirely to the Treasury Department, then I would not expect the House or the committee to adopt this amendment, but I would be obliged to allow the work of constructing this building to remain in abeyance until the discretion of the Secretary of the Treasury moved him to direct that work shall proceed under the vicious system now in vogue.

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

Mr. HULL. Certainly.

Mr. FOSTER. In the gentleman's opinion, would the appropriation of this additional amount of money cause the Secretary of the Treasury to expend the money any sooner than he otherwise would do it?

Mr. HULL. Mr. Chairman, in answer to the gentleman I will be perfectly frank and say that my investigations, in so far as they have extended as to the system and its operations in the Supervising Architect's office, lead me to the unalterable conclusion that instead of expending 6 per cent as expenses in the office in connection with the work of constructing public buildings it could be done for probably one-half of that, and that instead of preparing such a large number of separate drawings and specifications for each \$50,000 building or \$75,000 building the office can take the same model and with but slight alterations make it apply as successfully as a new drawing would apply to a particular site. Of course I know the Treasury Department takes the position that, under the circumstances stated by the gentleman, it would not do the work until next spring and that the money would lie idle in the meantime.

Mr. FITZGERALD. Mr. Chairman, I hope this amendment will not prevail. It will be manifestly unjust to a large number of the Members of this House to have the committee adopt this amendment. The estimates submitted originally to Congress for public buildings carried the amounts required until June 30, 1913. At the request of the committee, and following the precedent established in 1910, the Supervising Architect's Office revised this estimate so as to indicate the amount of money required on various buildings up until March 4, 1913, when the next sundry civil appropriation bill will become a law. This building at Lebanon, Tenn., is No. 93 upon the list. Provision is made in the pending bill for all buildings up to No. 70. To increase this appropriation is to advance this particular building over 22 buildings which under the system adopted have a priority at the present time. About 30 buildings for which estimates were submitted in the original estimates have been eliminated or the estimates greatly reduced, because less will be required for use until March 4, 1913. Because of the fact that contracts will not be entered into before the 4th of March, 1913, some have been eliminated from the bill. If the appropriation be made, the money could not be expended, and it is simply a question of adding to this bill the original estimates for the entire fiscal year—

Mr. HULL. Will the gentleman permit?

Mr. FITZGERALD (continuing). Which would be more than \$5,000,000 in excess of that which it now carries. The committee has recommended the various sums required and has treated everybody fairly and impartially. To provide for these buildings in the order in which they have been numbered after the acquisition of sites is the only equitable method to follow.

Mr. HULL. Mr. Chairman, I appreciate the reasons on which the gentleman's committee has acted, but I desire to ask him this question. It was not my fault that the department recommended to me that they would ask for a substantial appropriation in this bill, not in some future bill, and they have thoroughly misled me and the people interested. Now, my contention is that they have not made such representations to other gentlemen, and it is an act of bad faith to mislead a Member or any person with respect to this work, and this is seeking, through the agency of Congress, to make the appropriations and give them an opportunity to make good on the promises they made.

Mr. FITZGERALD. I understand from the statement which was made by the gentleman from Tennessee and which he published for the information of the people of his community that misunderstandings can easily result, which perhaps unless thoroughly explained will be perhaps embarrassing to gentlemen and perhaps create an improper impression in the community. In the original estimate submitted to Congress it is pointed out by the department that this particular building, which is No. 93 on the list, will be taken up in November, 1912, for plans, but no contract can be in force prior to April, 1913.

Now either one or the other thing should be done. Either this bill should carry appropriations for every building for the entire fiscal year, and all the five million and odd thousand dollars necessary for the balance of the year from the 4th of March until the 30th of June should be included in this bill, or else no further appropriations should be made for these particular buildings. How could any of the gentlemen in the House, with a building authorized in his district, finding himself in the same position as the gentleman from Tennessee, justify the failure to have reinserted in this bill an appropriation that could not be utilized; even if made, before the next bill becomes a law, if we make an exception in any one case? If those gentlemen would not be sufficiently informed that the committee determined to take that action, they would be awakened before this bill finally became a law, and it means to add eventually over \$5,000,000 to this bill if we depart from the rule to treat everybody impartially—

Mr. FOSTER. I would like to ask the gentleman if they have made provision in this bill for every public building where the money can not be utilized before another bill would be passed?

Mr. CARTER. At another session.

Mr. FOSTER. At the next session.

Mr. FITZGERALD. We have made provision for all money that can be expended upon every building authorized until the 4th of next March, when the next bill will become a law. It would be manifestly unjust to other Members to make a different ruling for one building or to make an exception for one building and place all the other Members in an embarrassing position. For instance, the gentleman from Illinois has a building in his district—

Mr. FOSTER. Mount Vernon.

Mr. FITZGERALD. Mount Vernon, and it was included in the original estimates for \$20,000 or \$30,000. No money can be used on that building before the 4th of March, and it has been entirely dropped out of this bill. What position would the gentleman from Illinois be in if money that could not be utilized were put in for some other building and the building in his district did not appear? And the same would be true of a great number of Members of the House. It would require that this bill be increased over \$5,000,000 to place all the items in the bill.

Mr. CARTER. Mr. Chairman—

Mr. FITZGERALD. I yield to the gentleman from Oklahoma [Mr. CARTER].

Mr. CARTER. The gentleman speaks about buildings coming in a certain order, or rather being of certain numbers on the list. I expect we have all been embarrassed considerably from not getting appropriations for public buildings already authorized. I have made some investigation of this matter and would like the gentleman to state for the benefit of other Members upon what the order of appropriation is based.

Mr. FITZGERALD. I will state that briefly. I reviewed it the other day, and it appears in the Record, but I will state it again at this time. My understanding is that after a site is authorized the department sends its agent to select a site, and when a site is finally agreed upon by a representative of the department and the conflicting interests in the various communities have been pacified the United States district attorney in the district in which the community is located is instructed to search the title.

When he finishes that work he sends the abstract of that title to the Treasury Department or to the Department of Justice. At any rate, it comes to the Attorney General for consideration, in order that he may attach the certificate required under the law before the site can be purchased. As soon as the title is approved by the Attorney General, that site is given the number next in order, and the plans are prepared for buildings in the order in which they have been numbered.

Mr. CARTER. And then the appropriation is authorized just in order as title to the site is acquired? How is the percentage of money apportioned? Will the gentleman state that?

Mr. FITZGERALD. The Supervising Architect determines how much money can be expended during the given period on that particular building, and whatever the department states can be expended the committee recommends in the bill. It makes no change whatever. In this bill those sums which can be expended up to the 4th of March, 1913, are included. Ten thousand dollars can not be expended on this particular building. No contract will be entered into until next April. I repeat it would be a manifest injustice to a very great number of gentlemen to appropriate for this building upon a different rule than that which applies to others.

Mr. CARTER. My home town had a building authorized two years ago. They had some trouble acquiring a site, and it

is, I am informed, No. 99 on the list now. Can the gentleman give me any information as to when I may expect an appropriation for that building?

Mr. FITZGERALD. What is the name of the place?

Mr. CARTER. Ardmore.

Mr. FITZGERALD. Here is the information we have about Ardmore, Okla.:

Post office and courthouse. Building has been authorized. Limit of cost, \$150,000. Population of the community is 8,618. Postal revenues, \$23,134. Drawings have not yet been commenced. The annual cost of maintaining this building after it is constructed will be \$7,185.80, and the present facilities at Ardmore are costing the Government \$3,092 a year.

Mr. CARTER. Is not that a very good showing, from the standpoint of economy, when compared to the usual case?

Mr. FITZGERALD. It will require interest on an investment of about \$150,000 and about \$4,100 additional.

Mr. CARTER. The gentleman is giving me information I did not ask for.

Mr. FITZGERALD. I thought the gentleman might be glad to have his memory refreshed.

The CHAIRMAN. The time of the gentleman from New York [Mr. FITZGERALD] has expired.

Mr. CARTER. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. FITZGERALD. No; just a minute. The statement of the Supervising Architect as to the building at Lebanon, Tenn., which is No. 93 on the list, is that the drawings will be taken up for preparation in November next, and the contract will be entered into in April. It would appear in that event that if the site is already obtained in Ardmore and it is only sixth removed from Lebanon, that provision should be made for it in the next sundry civil bill. That would be my impression.

Mr. FOSTER. Mr. Chairman, I would like to ask the gentleman one more question. Does the sundry civil bill that will be passed next year at the close of the Congress, with the provision for public buildings, become available on the 4th of March?

Mr. FITZGERALD. Appropriations for public buildings become available as soon as made, and remain available until expended.

Mr. FERRIS. I would like to ask the gentleman from New York a question. I notice now, for instance, the town of McAlester, on page 12, and the town of Chickasaw, on page 5. Both of these towns were appropriated for in the same bill and the amounts are practically the same. I think both are about \$150,000. I think the amounts are identical. I notice, however, that in one instance \$70,000 is carried and in another instance \$20,000, and I wondered if there was a uniform rule by which the department would determine, and why the difference.

Mr. FITZGERALD. It would probably be due to the fact that more delay had occurred in obtaining a site in one place than in the other, and as a result the work would be so much further behind on one. The same amount of money could not be utilized within the fixed time.

Mr. FERRIS. I have no doubt that is true.

Mr. HOUSTON. Mr. Chairman, I am perfectly aware that there ought to be a fair and impartial treatment of all the projects that have been authorized by law, and that one building project should have the same treatment that another receives. I think, however, that under all the facts that have come out in the discussion of this matter here and the general discussion of this bill, it is apparent that the Supervising Architect and his force are not exactly and accurately informed as to when they can complete each of these projects—that is, to the extent of submitting plans and letting out contracts.

Now, the first estimate was that they expected to let out these contracts—from 70 up to 100, as I remember it, although I am not certain about the number—this fall, beginning in September and October and along there. Since that time they have changed their calculations. I have a building project for a public building at Shelbyville, Tenn., for which, in the estimate submitted by the Treasury Department, \$23,000 was recommended for the purpose of beginning and carrying on that public building at Shelbyville. Since that they have revised their recommendations and have cut that amount down from \$23,000 to \$1,000.

Now, in view of the fact, Mr. Chairman, that it has become manifest upon the floor, from the discussion here and from facts that have not been controverted, that the Treasury Department—the Supervising Architect's department—does not pursue uniform lines all the time, that they do not travel at the same gait all the time, that sometimes they proceed with the construction of more buildings per month than they do at

other times—upon the calculation that the project might be reached in September or October, it does seem to me that the public building at Shelbyville, Tenn., as well as that of my colleague from Lebanon, Tenn., might reasonably be reached before the 4th of March next, and the passing of this amendment and the adoption of the amendment that I have here ready to offer as to the building at Shelbyville, Tenn., will certainly do no harm to the Public Treasury if the money is not called for. But in the event this building will be begun at or near the time first estimated, or approximately near that time, we might use the money some months earlier. And as to Shelbyville, Tenn., if I could get an amendment substituting \$20,000 for the \$1,000, or \$10,000 for \$1,000, it could be started five or six months earlier, perhaps, than if we were compelled to wait until the next appropriation bill passes.

Now, under this condition of affairs it does seem to me to be reasonable and fair to ask that as to these buildings, between the number of 70 and 100, a sufficient allowance be made to start the work in operation.

Mr. HULL. Mr. Chairman, will the gentleman yield?

Mr. HOUSTON. Certainly.

Mr. HULL. Is it not true, upon the basis that has been applied to the preceding number—preceding the 70—that only between \$250,000 and \$300,000 would cover the number from 70 up to 100, as the gentleman suggests?

Mr. HOUSTON. I understand so.

Mr. PAGE. Mr. Chairman, will the gentleman yield?

Mr. HOUSTON. Yes; when my colleague finishes.

Mr. HULL. And it is also true that the Supervising Architect's Office could commence the construction of a dozen buildings a month instead of 10 buildings a month, as it has recently been doing?

Mr. HOUSTON. That is unquestionably true. There is no excuse, in my judgment, for the delay in starting these buildings. There is no reason for not utilizing the plans and designs that are already in the office, and the people of those places where the buildings are to be located would be perfectly satisfied with them, I have no doubt.

Now I yield to the gentleman from North Carolina.

Mr. PAGE. I simply wanted to make this statement to the gentleman: The Supervising Architect has stated to the Committee on Appropriations, and through us to the House, that so much money can be expended between now and the 4th of next March, and that sum of money has been written in the bill. Now, how much would the gentleman's community benefit if we should write in the bill an excess of that amount, when the Supervising Architect can not and will not spend it?

Mr. HOUSTON. I confess that if he will not spend it we would not be advantaged one whit.

Mr. PAGE. He says he can not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOUSTON. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HOUSTON. I hope this amendment will pass, and I shall vote for it. I have prepared an amendment to offer for Shelbyville. I think this building and the one at Shelbyville and the others in the category which I have named should receive a substantial amount sufficient to begin the work in the event they may be reached sooner than the 4th of March next.

Mr. MONDELL. Mr. Chairman, the debate on the amendment that has been offered makes it very clear that this piece of legislation is a gigantic fraud. It is a delusion, and it will prove to be a snare. It is sailing under false colors, with bare poles, straight on the rocks of deficiency. It is not what it claims to be. Its title is that of a bill making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913; but the Members responsible for it admit that it does not carry any items, particularly for public buildings, rivers and harbors, and many other things sufficient to provide for the public service beyond the 4th of March next; so that the bill is not a sundry civil bill for the fiscal year, but a sundry civil bill for the benefit of the Democratic campaign this fall.

Mr. PAGE. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I am glad to.

Mr. PAGE. The gentleman is certainly aware that the sundry civil bill in prior Congresses, when the Republican Party was in the majority, appropriated for these items only until the 4th of March of the succeeding year, or if he is not so informed, he can and should be informed.

Mr. MONDELL. The gentleman knows, and we all know who are informed on the subject, that to a certain limited extent, and only in one or two cases, bills have been scaled down

somewhat along the lines suggested by the gentleman, but it never was a good policy, it never was a justifiable policy, and it never has been carried to an extent that is comparable to the extent to which it is carried in this bill.

Mr. PAGE. May I inquire of the gentleman why he did not turn his batteries of criticism upon his own side of the House when they did exactly the same thing? [Applause on the Democratic side.]

Mr. MONDELL. Because our side of the House never appropriated in this way to anything like the extent that this bill does.

Mr. PAGE. I am sure the gentleman does not want that statement to go into the RECORD.

Mr. MONDELL. I do.

Mr. PAGE. That they never did it? The gentleman is entirely mistaken.

Mr. MONDELL. I am perfectly willing to appeal to the RECORD, and I say again that no sundry civil appropriation bill, or any other appropriation bill, has ever been brought into this House which limited the appropriations to the next 4th of March to anything like the extent that this bill so limits the items carried.

Mr. FITZGERALD. Will the gentleman yield?

Mr. MONDELL. I am glad to.

Mr. FITZGERALD. This bill limits until the 4th of March appropriations for river and harbor work, public-building work, fortifications, and for the Panama Canal.

Mr. MONDELL. Yes.

Mr. FITZGERALD. The appropriations for fortifications have always been so limited.

Mr. MONDELL. Not always, by any means.

Mr. FITZGERALD. Always since I have been a member of the Committee on Appropriations, which goes far enough back. Since I have been a member of that committee they have been limited to the 4th of March in a session like this. The river and harbor appropriation during that period—

Mr. MONDELL. Not all the time or to the same extent.

Mr. FITZGERALD. My recollection is that it has always been made in this same way; and for public buildings the appropriations were made in this way commencing in 1910. In my opinion, it was not done for the purpose of enabling the Republicans to make a good showing in the campaign of 1910 on their appropriations, but it was done because these appropriations become available when made, continue available until expended, are not made with reference to the fiscal year, and an investigation disclosed that appropriations were being made which resulted in the unnecessary and unjustifiable tying up of public money; and the sum of \$10,000,000 is now to the credit of public buildings, appropriated, which can not be expended during the next fiscal year.

Mr. MONDELL. Mr. Chairman, the gentleman attempts to excuse what has been done to an inexcusable extent in this bill by the argument that to a certain limited extent appropriation committees have sinned in this respect in the past.

Mr. FITZGERALD. I do not agree with that statement.

Mr. MONDELL. They never have erred to anything like the extent that the committee have sinned in this case, and it is no justification to their committee that other committees have sinned in like manner, to a very limited extent in the past.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask for five minutes more. A good deal of my time was taken by the gentleman from New York.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to continue for five minutes. Is there objection? There was no objection.

Mr. MONDELL. Now, Mr. Chairman, there never was and there never will be any justification for this sort of an appropriation. Appropriation bills should be what they purport to be, appropriation bills for the fiscal year. I am surprised that the gentleman from New York should attempt to impose upon the credulity of the House by the suggestion that this kind of legislation prevents the tying up of public money. Everybody knows that the appropriation bills do not tie up money. Not a dollar is tied up by an appropriation. There is not money enough in the Treasury at the time we pass the appropriation bills to pay them all. Every Member of the House knows that the money is constantly coming in and constantly going out. What is gained by appropriating in one bill for 8 months and then in the next bill appropriate for 16 months? What sense is there in that sort of a thing? If the gentleman says you tie up money by appropriating for 8 months, how does he justify appropriations in the short session for 16 months?

Mr. FITZGERALD. I was not responsible for it, and I did not criticize in a partisan manner what I knew to be a proper appropriation.

Mr. MONDELL. I do not care what committee has been guilty of it—

Mr. FITZGERALD. The gentleman should have awakened to that some time during the 16 years in which his party had control and the practice was indulged in.

Mr. MONDELL. The gentleman knows that the practice has not been indulged in 16 years. It began only a few years ago. It was only two years ago that a bill was brought in with any considerable reduction, and there has never been a bill brought in here in which a large proportion of the appropriations were scaled down to an eight-month basis.

Mr. FITZGERALD. I am willing to match my recollection against the gentleman's about these matters.

Mr. MONDELL. It is not fair to the House, it is not fair to the country to pass one appropriation bill covering 8 months and then another covering 16 months following it. The country is misled as to the amount of the expenditures of the Government. It is difficult to keep track of the expenditures. You talk about its being done for the purpose of avoiding the tying up of public money; that is all gammon. These bills do not tie up any money.

Mr. PAYNE. I want to call the gentleman's attention to the fact that nearly all of this money appropriated for the next fiscal year has to be raised after the 1st of July.

Mr. MONDELL. The money is coming in all the time and is being expended all the time. There is never a time when the appropriation bills are being passed when there is money enough in the Treasury to pay all the appropriations if it were necessary to pay them all at one time. This thing of attempting to fool the people by bringing in eight months appropriation bills has no justification, no matter if it has been practiced somewhat in the past.

Mr. SHERLEY. Mr. Chairman, I shall not feel very much grieved over the remarks of the gentleman from Wyoming [Mr. MONDELL]. He has suffered a good deal lately. The facts that came out in connection with the public building desired in a city by the name of Sundance, a city that had a population of several hundred people, in which there was to be spent on the building many thousands of dollars, would have disturbed me considerably if I had been from that State and been as zealous in obtaining appropriations out of the Public Treasury as the gentleman was.

I appreciate also his sensitiveness due to the facts that have come out in connection with Fort D. A. Russell and the expenditures of money that have been made for that fort in his State. But for my own part I never had a great deal of sympathy with much of the clamor for public buildings. I hold in my hand a statement prepared by the Treasury Department which shows the cost of maintenance of public buildings authorized since 1902 will be \$3,163,177.41, and that the cost for rental and other expenses in buildings that would otherwise be used by the Government for the same cities and towns would amount annually to \$818,169.30.

In other words, the result of the erection of all the public buildings that have been authorized since 1902 when completed will be to increase the annual cost to the Government over \$2,000,000, without counting interest on the seventy-two millions spent for such buildings. For my part, I think we could go a little more slowly still, particularly in view of the illustration we have had of the ability of gentlemen to get consideration by committees of bills such as the one relating to the very popular city of Sundance. In point of fact, the Committee on Appropriations, not feeling that it lay within the province of that committee to undo the work of Congress touching public buildings, has brought in a recommendation for every dollar of money which can properly be expended until the money in the next appropriation bill will become available. For my part, I never have heard a reason that could be advanced for appropriating money in advance of the time when it can be used. We have simply pursued what has been the frequent policy of the Committee on Appropriations heretofore, and which, to my mind, is a common-sense business proposition.

Mr. MANN. Mr. Chairman, I have been watching appropriation bills more or less for a number of years, and it is news to me, absolutely news, that the river and harbor appropriations and the public building appropriations heretofore have been made only on the basis of the fiscal year ending March 4, instead of with June 30.

Mr. FITZGERALD. Let me say to the gentleman that, whether or not it is news, it is a fact.

Mr. MANN. I have had some appropriations with reference to rivers and harbors made in my district, and as to those I know that it is not the fact.

Mr. FITZGERALD. Oh, the gentleman is mistaken.

Mr. MANN. I am not mistaken.

Mr. FITZGERALD. It is my business to know, and I know, and I will put the proof in the RECORD.

Mr. MANN. The gentleman can not put into the RECORD the proof as to the appropriations which have been made in my district, as to rivers and harbors, some of which have been carried in the sundry civil appropriation bill, and which have been made upon an estimate originating with the War Department for the full fiscal year, which have been carried in full in the sundry civil appropriation bill. What is the use of saying to me, when the department makes an estimate for the full fiscal year and the appropriation bill carries the full estimate, that they have made an appropriation only until the 4th of March? I think that has usually been the case with the sundry civil appropriations as to rivers and harbors.

Nor do I quite understand what the gentleman means as to the appropriations until the 4th of March in this bill. What is the estimate for the Lebanon post office that is now under construction for the next fiscal year? The estimate is made by the fiscal year.

Mr. FITZGERALD. Does the gentleman want to know that?

Mr. MANN. Yes.

Mr. FITZGERALD. It is \$20,000.

Mr. MANN. The full amount is carried in this bill.

Mr. FITZGERALD. Oh, the gentleman is mistaken about that.

Mr. MANN. The gentleman said \$1,000. I do not know what the estimate is.

Mr. FITZGERALD. I said \$20,000.

Mr. MANN. Was there not a revised estimate?

Mr. FITZGERALD. A revised estimate.

Mr. MANN. For how much?

Mr. FITZGERALD. One thousand dollars.

Mr. MANN. For the next fiscal year?

Mr. FITZGERALD. No; the amount that could be utilized until the 4th of March.

Mr. MANN. The estimate submitted by the department is an estimate for the fiscal year?

Mr. FITZGERALD. Let me state what happened, and the gentleman can see what is the fact. In the regular Book of Estimates, not carried as totals, there is a statement that certain specific sums could be expended on the buildings therein designated by the 30th of June, 1913.

Mr. MANN. The full fiscal year.

Mr. FITZGERALD. And then the department, at the request of the committee, pursuant to the plan adopted in 1910, submitted estimates of amounts that would be necessary until the 4th of March, 1913, and it is those sums that this bill carries.

Mr. MANN. Let us see. Here is the Lawrenceburg, Ky., post office, the item just preceding, carrying \$30,000. What was the estimate in the regular annual estimates for the next fiscal year for that post office?

Mr. FITZGERALD. Forty-three thousand dollars.

Mr. MANN. And the bill carries only \$30,000? In all of these estimates is the amount reduced in that way?

Mr. FITZGERALD. Not all of them, but in some. Wherever the original sum requested will be used by the 4th of March it is appropriated; in those instances the department has indicated that fact, and that amount has been given.

Mr. MANN. I am perfectly frank to say to the gentleman that I do not know what the custom has been with reference to public buildings, as to whether the full amount has been carried or not, but I do know, as to rivers and harbors, that the estimates which have been made in that way have not been scaled to eight months.

Mr. FITZGERALD. The gentleman is mistaken as to that.

Mr. MANN. But I am not mistaken, because I have watched it. I will not say that there have been cases, because I do not know, but I know many cases where that has not been done.

Mr. FITZGERALD. An examination of the hearings will tell just exactly what transpired, and I will read just what happened.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FITZGERALD. Mr. Chairman, I ask that the gentleman's time be extended. I desire to read from the record, because I made that statement in the opening discussion of the bill, and I do not wish to misrepresent.

The CHAIRMAN. Is there objection to the extension of time? [After a pause.] The Chair hears none.

Mr. FITZGERALD (reading):

The CHAIRMAN. The next item is river and harbor improvements, beginning on page 195 of the bill. The estimates for the next fiscal year are \$12,114,988.

Col. TAYLOR. These are the estimates as submitted on the 1st of July; that is, as they were submitted in the annual report of the Chief of Engineers.

The CHAIRMAN. Have you since revised the estimates?

Col. TAYLOR. Yes, sir.

The CHAIRMAN. What would be the total under the present estimate? When was this last estimate made?

Col. TAYLOR. It was up to about the 1st of March. I find two or three clerical errors in the statement I have here, and I am not sure that my totals are absolutely right. I have the estimates in two ways here, one for the fiscal year up to June 30, 1913, and one up to March 1, 1913, on the assumption that there will be another sundry civil bill by that time.

So that was not an unusual practice; but it is the practice that has prevailed, according to my recollection, while I have been a member of the Committee on Appropriations.

Mr. MANN. If the gentleman is right about that—and I am satisfied that he is not—

Mr. FITZGERALD. Well—

Mr. MANN. Well, that is neither here nor there. But do I understand that the gentleman now claims that these contracts are made at the long session for 8 months? If so, they must be made at the short session for 16 months.

Mr. FITZGERALD. That is true.

Mr. MANN. That has never been the case in my personal experience, and I do not believe it has been usually the case.

Mr. FITZGERALD. Well, it has been the case in my experience; and I am informed by a gentleman who is not usually mistaken about these matters that as to rivers and harbors matters it is a well-established custom of the committee.

Mr. SHERLEY. If the gentleman will permit—

Mr. MANN. With very few exceptions, the sundry civil bill has carried appropriations every year for a number of years for river and harbor improvements in my district and has always carried them to July 1—

Mr. FITZGERALD. Yes; that may be so; and yet—

Mr. MANN. And without any special influence on my part.

Mr. FITZGERALD. These appropriations have rarely, if ever, in my experience, been discussed in the House. I have criticized Republicans to the extent to which appropriations were made, and yet knowing this situation and knowing the purpose that was to be served in making them in this way I never attempted to take advantage of what I knew was the proper thing to do and to make partisan capital out of it, and this bill for these 8 months for river and harbor contract work carries \$2,000,000 in excess of the current year made by appropriations for the 16 months.

Mr. MANN. I am sorry the gentleman, every time a gentleman asks a question about an appropriation, feels that we are injecting partisan politics.

Mr. SHERLEY. If the gentleman will permit I desire to suggest this: With public buildings we are dealing with contract work; and as with river and harbor contract work there can not be logically any such thing as a fiscal year. There is a certain amount of money necessary to do a given piece of work. Now, it so happens that sometimes a given amount of money within a certain time can be spent in completing or toward the completion of that work, and when you leave outside the question of maintenance, public work like public building is not subject and can not in the nature of things be properly subject to fiscal-year periods.

Mr. MANN. Very true, but the estimates are made according to the fiscal year.

Mr. SHERLEY. But estimates are not such sacred things that they should not accord with a common-sense proposition.

Mr. MANN. Well, there is nothing of a common-sense proposition in the matter at all, the question of whether you make appropriations one year for 8 months and another year for 16 months. If that is a common-sense proposition, why very well, but according to my idea of common sense it would be to make the appropriations for 12 months each year.

Mr. SHERLEY. If the gentleman will permit, The gentleman talks about an appropriation for 16 months. You appropriate so much money as can be expended prior to the 4th of March and then you may appropriate so much money as may be expended in three or four months only because you are in the summer months when there is much building, and it is not simply appropriating for 16 months but it is appropriating all the money that can be used toward the completion of the project prior to the time when the new money is available.

Mr. MANN. But here is the point. The gentleman states now in this bill estimates were submitted for the full fiscal year of 12 months and that they have reduced those estimates by one-third so as to make only two-thirds of an appropriation of the estimates.

Mr. SHERLEY. Now, if the gentleman will permit, I will say that we simply had in each instance the Supervising Architect tell us how much money could be used prior to the 4th of March. In some instances it did not amount to three-fourths of the estimates; in other instances it did not amount to one-

tenth of the estimates; in other instances it amounted to more than three-fourths, according to the stage of the work the building was in. In other words, we simply adopted the common-sense rule of providing money toward the completion of a building for a time sufficient to reach a point when new money would be available.

Mr. MANN. Will the gentleman answer me one other question?

Mr. SHERLEY. I will try.

Mr. MANN. Under what authority of law do these appropriations become available at once?

Mr. SHERLEY. The covering in act of 1874, I am informed.

Mr. MANN. Of course that act does not provide anything of the kind, but it may be so construed.

Mr. FITZGERALD. The gentleman is mistaken, I think, about it.

Mr. MANN. I am not mistaken, because I have just taken the trouble to read it, and I can give the gentleman a better reference to it than he has in the bill, because he has the date wrong there. I had to go and look it up, because it is in the bill as "June 24," 1874, but as Congress adjourned before that date, that could not have occurred, and I finally located it. I give the gentleman the benefit of that, so that he can amend it when that part is reached.

Mr. FITZGERALD. Possibly that is a clerical error.

Mr. MANN. Possibly it is a clerical error.

Mr. FITZGERALD. The act of June 20, 1874, is the act to which I referred.

Mr. OLMSTED. Mr. Chairman, I have been a member of the Committee on Appropriations but a short time and am not familiar with the practice in former years. But I am familiar with the fact that this particular item under discussion has been inserted in the bill upon the same basis as all other appropriations for similar purposes, namely, according to the amount which will be needed before March 4. In the meantime another bill will have been passed to provide the balance necessary.

Now, take a case in my own district. On page 56 of the hearings, taken from the statement submitted by the Supervising Architect concerning the public building for courthouse and post office at Harrisburg, it will appear that the total authorization is \$125,000. Forty thousand dollars have already been appropriated. The estimates in the bill are \$85,000 more, and the Supervising Architect says:

This work is an extension to an old building. Drawings are under way and a contract will probably be in force by May. As this will allow 14 months of actual construction work prior to July 1, 1913, the full amount estimated will be required.

That is, the full sum of \$85,000. We have put in the bill but \$35,000.

Mr. FITZGERALD. What is the gentleman speaking about now?

Mr. OLMSTED. The Harrisburg (Pa.) post office. I say this item is on the same basis as all the others. I am instancing a case in my own district.

Mr. FITZGERALD. The gentleman has not looked quite far enough.

Mr. OLMSTED. I think the gentleman has not listened quite far enough.

Mr. FITZGERALD. I may have misunderstood.

Mr. OLMSTED. What I am saying is that although \$85,000 will be required by the 1st of July, we have only put \$30,000 in the bill, because that is all that will be required before the 4th of March, and that is on the same basis as all the other appropriations of the same kind.

Mr. FITZGERALD. I misunderstood the gentleman.

Mr. OLMSTED. And if this particular item is to be amended as desired by the gentleman from Tennessee, then there are 40, 50, or 100 items in here that would have to be amended to put all upon the same basis.

Mr. HULL. Suppose this department exercises the absolute control over this system of building and construction and does not want to expend any money on your building until July, next year, would you be here acquiescing in that course?

Mr. OLMSTED. I suppose I could not help myself. I have a building in my district authorized four years ago and they are just beginning its construction.

Mr. HULL. The point I desire to get before the gentleman is this: The department is swamped in its management of the system as it now exists. Suppose they had partially completed the construction of this building under former appropriations, and if in this bill they should decide not to make a request for any more appropriations, and that they should not do any work until after the 4th of March next year, and then would ask an additional appropriation in that year, and then resume work according to their own idea—

Mr. OLMSTED. They do not do business in that way. When they commence construction they go right through with it.

They do not commence it until they have the plans ready. I have had the same difficulty the gentleman has. It arises in large part because we never have appropriated enough money to pay for the necessary assistance in the office of the Supervising Architect to rush these matters through as fast as the gentleman from Tennessee and myself would like to have them.

Mr. HULL. That depends upon whether they desire to construct 10 buildings or 12 buildings or 15 buildings per month, does it not?

Mr. OLMSTED. It depends upon the number of assistants they have in the office to prepare the plans.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. OLMSTED. Certainly.

Mr. GARNER. The gentleman from Pennsylvania is mistaken. The hearings taken before the Committee on Expenditures on Public Buildings and Grounds showed that with an identical appropriation, under the direction of the Secretary of the Treasury, they decreased the construction of buildings from 15 to 10 per month.

Mr. OLMSTED. That is because they did not have sufficient assistants.

Mr. GARNER. No. It was done during one fiscal year when they could have constructed 15 buildings per month, and yet they decreased it on account of a deficiency in the Treasury.

Mr. OLMSTED. Of course, if they did not have the money, they could not build the buildings.

Mr. GARNER. They decreased it intentionally in order to relieve the Treasury from the expense.

Mr. OLMSTED. Well, if there was a deficiency in the Treasury, that is a sufficient reason; there would certainly be no wisdom in appropriating the money when there was no money to be appropriated.

I merely wish to say, Mr. Chairman, that this item is on the same basis as all other similar items, and if you are going to amend one, you ought also to amend 40 or 50 similar items in the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BEALL of Texas. Mr. Chairman, I sympathize very much with the gentleman from Tennessee [Mr. HULL] in his desire to see completed the building which has been authorized to be constructed at Lebanon, Tenn. That is one of the centers of thought and culture in that historic State. But I do not think it is very material whether this bill carries \$1,000 or \$50,000, because, judging the future by the past, no part of that money, whether it is \$1,000 or \$50,000, will be expended during the next year. The Treasury Department constructs buildings for future generations, never for the present one. The policy seems to be to construct buildings only upon authorizations hoary with age.

As I understand it, the authorization for this building was secured only about two years ago.

Mr. HULL. Mr. Chairman, will the gentleman permit me in that connection?

Mr. BEALL of Texas. Yes.

Mr. HULL. As I understand the system over there—that is, so far as I can understand it, for I have never been able, even after investigation, to understand it fully, and I think very few Members do understand it—the order in which buildings are listed for construction is determined by the order in which the sites are obtained. The site for this building was authorized four or five years ago; at least four years ago.

Mr. PAGE. Mr. Chairman, if the gentleman will allow me—

Mr. BEALL of Texas. I yield—

Mr. PAGE. That is not necessarily true, because a site may be acquired and no appropriation secured for 10 years. An interval of 10 years might elapse between the two.

Mr. HULL. And under this system the site authorized in the bill of 1908 might be secured and the building following in the natural course would not be touched, whereas a building authorized, or a site authorized, in 1910 might be under way and perhaps constructed, because the agent of the Treasury Department or the district attorney's office or some other intervening agency beyond the power of a Member of Congress to control has operated in the first instance to delay it.

Mr. BEALL of Texas. Mr. Chairman, I was about to remark that it was immaterial when this building was authorized, whether in 1910 or in 1908. I understand that it has just now reached the point where they are considering plans and specifications. I think about the same thing is true with respect to the building authorized for the beautiful city of Ardmore; that is so well represented by my distinguished friend [Mr. CARTER] on my left. My experience has been that when they begin working on the plans and specifications of a building the trouble has just begun. It takes more than a Caesarian opera-

tion to extract a set of plans and specifications from the Supervising Architect's office. They have to be made, altered, amended, changed, substituted, modified, rejected, reconsidered, approved, suspended, and finally adopted before bids are called for. In the usual course of affairs this stage will be reached in about 1915 with the Lebanon building. The situation will just begin to be interesting then. Although Tennessee is well supplied with building material, in all probability the specifications will require stone to be brought from Maine and the cement from over on the Pacific coast; and after the bids come in it will be discovered that the appropriation is not sufficient and that it will require an increase. About the year 1919 the formal letting of the contract will occur. A year or two after that the contractor will seem almost ready to begin the constructing of the building, but some unforeseen occurrence will develop. About 1921 the contractor, for some reason or another, will make default on his contract, and it will be necessary for the Supervising Architect's office to begin all over again. In 1925, on the 4th day of July, the cornerstone of the post-office building at Lebanon, Tenn., will be laid with imposing ceremonies. It is to be hoped that the distinguished gentleman [Mr. HULL] will still be serving as the faithful Representative of that district in this House, and that on the interesting occasion just suggested it will fall to him to deliver the customary oration and to revive the memory of the conditions under which the original authorization was secured. [Laughter.]

Mr. SHARP. May I ask the gentleman a question?

Mr. BEALL of Texas. Yes.

Mr. SHARP. To what does the gentleman attribute this delay in these buildings?

Mr. BEALL of Texas. I think the gentleman misunderstands me. I am not denominating the lapse of only 15 years a delay.

Mr. SHARP. The last suggestion of the gentleman, in which I heartily join, opens up a field of inquiry that is quite interesting. It has been suggested to me at different times that often this very delay is a good reason for the Representative in this House to appeal to his constituents that in order to have the building completed he must still continue to represent them.

Mr. BEALL of Texas. That is true. If the gentleman from Tennessee [Mr. HULL] were a wicked Republican, I would say that this public building would be a substantial basis to be used by him in campaigns for the next 15 or 20 years. [Laughter.] Of course, though, the gentleman from Tennessee [Mr. HULL] has a record here justifying the judgment of his people in electing him, and he is not compelled to resort to such means of securing public favor.

After the corner stone is laid the work will progress with the same proportionate rapidity. The gentleman from Tennessee is now a young man—

Mr. HULL. Will the gentleman yield?

Mr. BEALL of Texas. Yes.

Mr. HULL. I notice the gentleman has an item in this bill, or the remnants of an item, pertaining to a building in his State. Does not the gentleman think that the failure of this bill to carry a larger appropriation for his own building in his own district would suggest that some attention be devoted to that in the course of his remarks?

Mr. BEALL of Texas. I have been devoting much attention to that, Mr. Chairman, for a number of years. That authorization was made four years ago. For two or three years I indulged the hope that during the course of my life, if I was permitted to live out the allotted span, I might see a public building at Hillsboro, Tex. The gentleman from Tennessee [Mr. HULL] is a young man, while I am more advanced in years. I really think there is some probability that the gentleman from Tennessee will live long enough to see his building completed at Lebanon. I have almost abandoned all hope of that in my Texas town. I imagine that when ripe, old age comes to the gentleman from Tennessee [Mr. HULL], when he is stooped and bent beneath the burden of his years but still in the service of a grateful constituency, he may be able to participate in the celebration that will occur at Lebanon, Tenn., over the completion of the building the authorization for which he secured so many years before. [Laughter and applause.]

Mr. HULL. Four or five years ago.

Mr. FITZGERALD. Mr. Chairman, gentlemen on the other side seemed astounded, as if something unusual had been done in this bill in providing for river and harbor work and public-building work until the 4th of March next. I made the statement upon information that that has been the practice of the committee and is not unusual.

Mr. BUTLER. May I ask the gentleman how usual is that practice?

Mr. FITZGERALD. Gentlemen challenged my statement and said that while they did not doubt that I meant to be accurate,

they were quite convinced that I was in error. Now, I intend to prove by the Record that I knew what I was talking about, even if it is a matter of recent discovery to other gentlemen.

On the 18th of March, 1908, Mr. Taylor, the Supervising Architect, was before the Committee on Appropriations:

The CHAIRMAN (Mr. Tawney). Your estimates for public buildings begin on page 1 of the bill before you and are printed in the bill as they appear in the annual Book of Estimates. Since submitting the annual estimates have you revised them in order to determine the exact amount that you will require to continue the work now authorized until your next appropriation becomes available?

Mr. TAYLOR. I have.

We were then in the long session of Congress in 1908, as we are now in 1912, and that meant that the appropriation or estimates were until March 4, 1909.

On March 30, 1908, in considering the estimates for river and harbor work:

The CHAIRMAN (Mr. Tawney) to Gen. McKenzie, who was the chief engineer. Do the amounts suggested in your revised estimates cover the amounts that you would expend between the 1st of July and the time your next appropriation will become available?

Gen. MCKENZIE. There are two statements, one to July 1, 1909, and the other to March 1, 1909.

Mr. TAWNEY. Your appropriations become immediately available when made, and continue available until expended?

Gen. MCKENZIE. Yes.

The CHAIRMAN. So if the amounts estimated as necessary to carry you to the 4th of March next were provided, then the appropriation passed at the next session for river and harbor improvements would become available on the 4th of March and would enable you to continue the work throughout the remainder of this fiscal year, and also during the next fiscal year?

Gen. MCKENZIE. Yes, sir; it would.

In 1910, two years later, we were in the long session of Congress, and on February 22, 1910, Mr. Taylor, the Supervising Architect, being then before the committee:

The CHAIRMAN (Mr. Tawney). Will you please take the document beginning on page 31, and state just what the status of the present appropriation is and what is the least amount that will be required that will be necessary to meet the requirements in each case during the fiscal year 1911, taking into consideration the fact that Congress will be in session next December?

Mr. TAYLOR. I have that prepared in a statement, which I will give you.

An examination of the testimony shows that he indicates the sums that would be required for the various buildings until the 1st of March, 1911. For instance, Denver, Colo.: "In view of the fact that there will be only 10 months to March, 1911, it is believed that this estimate," which was for \$250,000, "can be safely reduced by \$100,000." And in the same year when the river and harbor bill was under consideration in the sundry civil bill, on February 28, 1910, the chairman, Mr. Tawney, said:

Maj. Kavanaugh, in view of the fact that these appropriations become immediately available and remain available until expended without any reference to the fiscal year for which they are made, and also in view of the fact that the next sundry civil appropriation bill will carry the appropriation which will become immediately available before the 4th of March, will you take with you the reduced estimates and go over your testimony, reduce your estimates on the theory of the amount necessary in each case until March 4, or until the next appropriation becomes available?

I do not suppose it is necessary to go back beyond 1908. I know what the practice of this committee has been, although other gentlemen may not.

Mr. BUTLER. Was the revision made?

Mr. FITZGERALD. The revision was made and the appropriations were made in accordance with the reduced estimates. I have reviewed the appropriations made by the Republican Congresses on several occasions. I have not attempted to make a case against the Republican Party because of that method of appropriation, knowing that this was not only a sound and proper but the only wise practice that could be followed. I have never criticized the Republican Party for pursuing a proper practice.

This bill follows a practice that has been in force—I will not say for more than four years, because I have only produced the records since 1908, but I can produce them further back—for at least four years. The clerk of the committee, who is well informed and whose memory on these matters is better than mine, informs me that so far as the river and harbor appropriations are concerned, this is the settled, accepted policy of the committee. I was under the impression that we had initiated this policy in regard to public buildings in 1910, but I find upon examination that it was put into force two years earlier, and it may be if I had an opportunity to go back further I should have found that it had been put in force at the very beginning of Mr. Tawney's services as chairman of the Committee on Appropriations.

These appropriations are made for the purpose of enabling the public service to be carried on in a proper manner. We have not attempted to exercise any discretion over the amounts. Ten million dollars heretofore appropriated for the construction of public buildings, because the estimates were so very

liberal, can not possibly be expended during the next fiscal year. That is one of the reasons that has led to the adoption of a policy to make it possible for appropriations to correspond with work that could be done. Nobody is harmed by not making the appropriation larger and nobody is benefited by increasing the appropriation, but to those who have for some reason or other the necessity to examine and discuss and analyze the expenditures of the Government it is disconcerting to find the appropriations out of all proportion to the amounts that are expended. It is very difficult to reconcile appropriations with statements of expenditures prepared by the Treasury Department and most difficult to understand or to have an intelligent comprehension of the fiscal operations of the Government. In reporting this bill to the House I stated frankly what had been done about these matters. I hope that this amendment will not prevail.

Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FOWLER. Mr. Chairman, I do not desire to take up the time of the committee, but in view of the eloquent address made by the distinguished gentleman from Texas [Mr. BEALL] I became somewhat anxious about the allowance in this bill for a post office in my district, and I desire to ask the chairman, who has given so much study and time to this bill, if he will be kind enough to answer what is meant on page 55 of the hearings with reference to that appropriation of \$20,000 for Harrisburg, Ill., being at the bottom of the page, where this language is found:

This building is No. 52 on the active list. Drawings will be taken up in May, and the contract will probably be in force by September, 1912.

I understand that the drawings have not yet been made. I have not that information from the department to-day nor within the last few days, but I have had the information from a member of the committee to-day.

Mr. FITZGERALD. This statement to which the gentleman refers means that some time in the month of May of this year work will be commenced on the plans, and that it would take from that time until September to prepare the plans, to advertise for bids, and to consider the bids and to make the contracts.

Mr. FOWLER. May I safely rely upon the statement that the contract will be let during this fall or some time during this year? The word "probably" is used there. It says that probably the contract will be in force by September, 1912.

Mr. FITZGERALD. Mr. Chairman, as I understand this explanation, unless some unforeseen thing happens, the contract will be in force. Frequently a situation like this develops, and it might develop in the gentleman's district. Plans would be prepared and bids invited and the bids would be in excess of the limit of cost.

The department would attempt to eliminate certain items, and the gentleman or his constituents, or the Senator from his State, would protest against the elimination of certain items and request that the matter be held in abeyance until Congress could act again upon the matter. There are several instances in which contracts would have been let for public buildings a year or more in advance were it not for the fact that the Representative from the district, because of the desire of his constituents, preferred that no action be taken until he could have an opportunity to obtain legislation which would increase the limit of cost and thereby permit a more ornamental building than could be constructed within the appropriation. Ordinarily, unless some unforeseen occurrence takes place, I believe these statements can be relied upon. I call the gentleman's attention to the fact that this bill carries \$20,000, which is the amount of money that is expected will be used for the construction of the building up to the 4th of March next.

Mr. FOWLER. It is not intended to be taken as a limitation upon the amount of money that is to be used?

Mr. FITZGERALD. Oh, no; it is all of the money that the department will be able to expend between now and the 4th of March.

Mr. FOWLER. And the amount which was originally sought to be appropriated was sixty or sixty-five thousand dollars, as I recollect.

Mr. FITZGERALD. Forty thousand dollars, which would carry the work until the 30th of June.

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Kentucky.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Lewes, Del., post office: For commencement of building under present limit, \$20,000.

Mr. MONDELL. Mr. Chairman, I do not believe it has even been my pleasure—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MONDELL. I move to strike out the last word—to hear so much pure sophistry in the same length of time as we have heard from the gentleman from Kentucky and the gentleman from New York with regard to the manner in which these appropriations are submitted.

Mr. BARTLETT. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. I make the point of order the gentleman is not speaking to the amendment that has reference to this particular item.

Mr. BUTLER. The gentleman moved to strike out the last word.

Mr. BARTLETT. I understand he moved to strike out the last word of this paragraph, but this paragraph does not relate to what the gentleman is discussing.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to amend by increasing the amount \$5,000.

Mr. BARTLETT. Mr. Chairman, I did not make the point of order on the gentleman's amendment, but I made the point of order that he was not speaking to his amendment.

Mr. MONDELL. And I want to call attention of the Chair to the fact that my time has been largely consumed by the gentleman from Georgia. [Laughter.] The gentleman from New York says that no private firm or individual would set aside or appropriate money for a payment beyond the term for which it was appropriated or set aside. Why, certainly not. What we are complaining of is that this committee has not set aside or appropriated or made available enough money to cover the term named in the appropriation. In other words, it is a fraud; it is an appropriation for 8 months, masquerading as an appropriation for 12 months, and the inevitable result will be in the next bill we must appropriate for 16 months.

Mr. SHERLEY. Will the gentleman yield right there?

Mr. MONDELL. Now, if it is not good business to set aside money for a full fiscal year, what sort of a business is it to set aside money for a fiscal year and four months more?

Mr. SHERLEY. Will the gentleman yield?

Mr. MONDELL. I will be glad to do so.

Mr. SHERLEY. Suppose a building can be completed by the 1st of August, 1913. We appropriate now money enough to supply the work up to the 4th of March. In the next bill we only have to appropriate from March until August instead of 16 months, which illustrates what I said, that there can be no fiscal-year proposition applied to this.

Mr. MONDELL. Mr. Chairman, on the contrary, the estimate is made for the amount of money to be used in the 12 months covered by the bill. That is the estimate which the committee cuts down on the theory that when the short session comes there will be a bill on the 4th of March. Well, that bill, before the 4th of March next, must appropriate from the 4th of March to the 1st of July and from the 1st of July to the next July.

Mr. SHERLEY. If the gentleman will permit. The fact is the building or project will be completed in less time.

Mr. MONDELL. It makes not a particle of difference when some particular building is going to be completed. The question is how long the appropriation is to be available—when it is to be used. There is not a Member on either side who can justify a system under which one year we appropriate for 8 months before election and the next year after the election we are expected to appropriate for 16 months. If the facts are as the gentleman has stated with regard to past appropriations, then the last appropriation bill provided for 16 months, this one will be for 8 months, and the next will be for 16 months. I will say to the gentleman from Kentucky [Mr. SHERLEY] that my withers are not wrung by anything in the bill. Every public building in which I am directly interested as a Representative is, I think, amply provided for. I am objecting to a policy which has no justification from any standpoint. Neither am I worried because he advertises the beautiful little city of Sundance, in my State. If the gentleman will come with me some day to the summit of the beautiful Sundance Mountain, where the Sioux used to dance the sun dance, he will get a broad view that will clear his ideas in regard to these matters.

Mr. SHERLEY. I suggest to the gentleman I would be at least instructed by the number of inhabitants there.

Mr. MONDELL. We may not have as many as they have in some places, but in quality we have the best on the face of the earth.

Mr. SHERLEY. I suggest it lacks nothing to the advertisement of the gentleman.

Mr. MARTIN of South Dakota. How about fishing?

Mr. MONDELL. The fishing is fairly good, but we have secured no more fish hatcheries than the gentleman from Kentucky has.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, I do not think the gentleman from Wyoming should feel so grieved because I assumed, when he made his criticism, he was not familiar with what had happened in the past. I produced the records in the hope that when he had the cold record before him he might see the light.

But he seems not even to accept the record or the statements of former chairmen of the committee. I have taken occasion to look up these matters a little bit, and I think, perhaps, a criticism of this bill might properly be made. Unfortunately, the committee had no power to remedy the situation which would seem to require action.

The gentleman has three buildings in this bill. In one of them the full estimate—\$15,000—is given; in the other one the estimate for the entire year was \$48,000, and only \$30,000 was appropriated; in the third one the estimate for the entire year was \$61,000, and only \$40,000 was given. It is unfortunate that the practice has not been established heretofore, that the Committee on Appropriations could exercise some discrimination as to whether appropriations should be made for buildings authorized in former bills. For instance, take Rock Springs, Wyo.

The post office is to cost \$75,000. The population is 5,778, and the postal revenues \$11,487. Maintenance cost, \$3,743 when it is finished, while we are now obtaining adequate accommodations there for \$700 a year. So that in addition to the interest on the investment of \$75,000 a year we make a permanent annual charge on the Government of \$3,000 additional for the purpose of having this ornament contributed for the benefit of the people of Rock Springs.

Another building is at Caspar, Wyo. The limit of cost is \$55,000. The population is 2,639. Postal revenues, \$7,883. The permanent annual charge for maintenance when this building is finished will be \$2,836.95. Ample accommodations for the public service are now being obtained in Caspar, Wyo., for the munificent sum of \$210. [Laughter.] Then there is Douglas, Wyo. The limit of cost is \$65,000 and the population 2,246. The postal revenue is \$8,000, and the permanent annual charge in addition to the interest on the investment will be \$2,836.95, while we are now obtaining ample accommodations at Douglas, Wyo., for \$840.

If anybody has ever been in Wyoming and can recall the picture and the impression upon the mind made by these populous communities, and then can picture buildings thrust right into the landscape, public buildings costing from \$55,000 to \$75,000, lonesome and out of place, an outrage upon the aesthetic sensibilities of the people of Wyoming, he would realize what a great public service would have been performed by the Committee on Appropriations if, instead of reporting appropriations to continue these three buildings aggregating about \$85,000, they had had the temerity to recommend the repeal of the law authorizing them.

Mr. PAYNE. Will the gentleman yield?

Mr. FITZGERALD. I will yield to my colleague.

Mr. PAYNE. The gentleman, I suppose, is now quoting statistics concerning buildings that have already been authorized?

Mr. FITZGERALD. Yes.

Mr. PAYNE. Has the gentleman in his possession the bill that has now been prepared, or all that has been prepared of it, for the next session of Congress, for erection of public buildings?

Mr. FITZGERALD. I have no information about the bill or that it will be prepared.

Mr. PAYNE. I have. I have been solicited for the bill.

Mr. FITZGERALD. I will undertake to say that a Democratic House will not report any bill containing recommendations from \$10,000 to \$50,000 or \$75,000 for public buildings in any community the population of which is less than 300. [Applause.]

I have no doubt it must have been overlooked that the House was no longer Republican when such bills passed in another place.

Mr. GARNER. Will the gentleman yield to a question in that connection? I would like to know, as a matter of information, as to what the basis of this permanent annual expense of the conduct of these buildings is. The gentleman gives a certain amount as being a certain annual charge against the Government. On what is that based?

Mr. FITZGERALD. The Supervising Architect has charge of these buildings, having 652 in commission. Based on the ex-

perience of the past, he is able to estimate quite correctly the amount that will be required for heat, light, and personal services. The Secretary states that the figures I have read, given in the statement heretofore placed in the Record, were based upon averages ascertained by the division of buildings into 16 different classes and prorating the measure of expense, including all the items referred to, in an inquiry submitted by myself, for a period of five years.

Mr. GARNER. Does the gentleman estimate as to what the expense will be?

Mr. FITZGERALD. The estimate, if anything, I am inclined to think is not exaggerated.

Mr. MADDEN. Mr. Chairman, I have always been of the opinion that no public building should be erected anywhere except where the public business justifies it, and I am still of that opinion. I believe that there ought to be some system adopted under which sufficient information can be obtained upon which to base proper action before public-building bills are enacted into law. If we can rent a building for the transaction of the public business in a given town for \$500 a year, we are not justified in spending \$100,000 for the construction of a building in that town, or \$50,000.

As to the question of the method of appropriation, I believe the committee is right in recommending the appropriation only of the money that can be used. There is no use to appropriate money for the construction of a building the contract for which can not be let for a year or two after the appropriation is made, and if the committee recommends money to be expended in the construction of buildings that can be constructed during the period for which the appropriation is made, then I believe the committee has performed its duty. Whether the appropriation covers a period of 8 months or 16 months, it does not matter. If this committee appropriates for the construction of buildings money that can actually be used during the time between now and the 4th of next March no harm is done, because if there is more money needed for the construction of a particular building after the 4th of March we can make the appropriation before the 4th of March to cover that deficiency.

As a matter of fact, it is not a question of appropriating for 8 months or 16 months. It is a question of appropriating for each particular building, whether it be for 1 month or for 20 months, for 8 months or for 16 months. There is no doubt about that. What is the use and what is the business sense of asking the committee to recommend the appropriation of moneys which the executive branch of the Government says it can not use? The committee ought to be commended for the good sense it displays in accepting the advice of the men who are thoroughly familiar with what use can be made of the money.

If the Supervising Architect says to the Committee on Appropriations that he can use only a thousand dollars at Lebanon, Tenn., for example, why should the committee insist upon letting him have \$10,000? If the Supervising Architect says he can use before the 4th of March only \$30,000 on a building which requires an ultimate expenditure of \$85,000, why should the committee insist upon appropriating more than \$30,000? I congratulate the committee upon the wisdom of its action. It is acting in a sensible and businesslike way.

There ought to be no politics in this. This is a business proposition, and whether the Democratic committee is doing what it is doing for the purpose of making political capital, or for whatever purpose it may be doing it, I do not care. For one Member of the House, I believe that all this business ought to be done on a businesslike and nonpartisan basis. I am not standing here as a Republican or a Democrat, trying to make political capital out of a thing that ought to be done for purely business purposes. [Applause.] I am opposed, first, to the appropriation of any money for any building in any town in the United States where the population of that town and the receipts of the public service there do not justify an appropriation for the construction of a public building. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

McAlester (Okla.) post office and courthouse: For completion of building under present limit, \$70,000.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York [Mr. FITZGERALD].

The Clerk read as follows:

On page 12, line 22, strike out the word "completion" and insert in lieu thereof the word "continuation."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. FITZGERALD].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

New Haven (Conn.) post office: For continuation of building under present limit, \$125,000.

Mr. TILSON. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman in charge of the bill for certain information in regard to the hearings contained in Part VI. I notice that the expense of maintenance of the proposed building at New Haven is \$38,441.98. The annual rental and other expenses is \$600. What does that mean? It is found on page 16 of Part VI of the hearings.

Mr. PAGE. What town?

Mr. TILSON. New Haven, Conn. In giving some information to the gentleman from Wyoming [Mr. MONDELL] a few minutes ago the chairman of the committee used the figures contained in this table, giving the amount of rental which was already being paid by the Government, and comparing it with the maintenance of the new building when completed. Does this same thing apply to the building with reference to New Haven?

Mr. FITZGERALD. The estimate is based on the experience of the department, and a compilation of data.

Mr. TILSON. It is very patent that the expenses of maintaining a building suitable for a post office at such a place as New Haven would be more than \$600. The rental would be very much more than that, of course. I was wondering what that information meant.

Mr. SHERLEY. That may be inaccurate, but it is presumably the estimated cost of rentals and other expenses. There may have been a figure dropped in the printing. I can not answer as to that.

Mr. TILSON. There is an old post-office building in New Haven, and as a matter of fact the Government has not been paying any rental for the post office.

Mr. SHERLEY. It may be, then, that the \$600 represents the cost of maintenance of that building now as compared with the estimated cost of maintenance when the new building is completed.

Mr. TILSON. That could not be, because the maintenance of the building, including heat, light, and watchmen, would certainly be a great deal more than that. I wondered if it did not refer to outside quarters. The Government has had to rent quarters outside of the post-office building for some purposes.

Mr. SHERLEY. That may be.

Mr. FITZGERALD. That contains a statement of annual rental and other expenses. In the event that there is a public building there at present, there would be no statement of annual rent, unless there were some place rented outside of the present public building. I think we all appreciate that the cost of maintaining a public building at New Haven, a city of some 130,000 population, is considerably in excess of \$600.

Mr. TILSON. It occurred to me that it made a very bad showing if that was what it was intended to represent, because sufficient quarters for a post office in New Haven could not be obtained for \$600. As the matter stands, explanation is necessary to save it from being meaningless or actually misleading.

Mr. FITZGERALD. When this document was sent to me, appreciating its importance and the value of the information contained in it, I took the precaution to send it back to the Treasury Department to check up the figures, so that if there be a mistake, due to an oversight, it might be corrected. I think it is explained by the fact that there was no attempt to place in that column of annual rental and other expenses the present cost of maintaining the public building which is in existence, and in that respect it may be somewhat misleading.

Mr. TILSON. I withdraw the pro forma amendment.

Mr. MANN. Mr. Chairman, I move to strike out the last word. It is getting late in the afternoon, and gentlemen will soon be going away. I want to ask the gentleman from New York a question. I suppose he would like to run through the public-building items to-night if he can. What is the purpose of the gentleman in regard to to-morrow?

Mr. FITZGERALD. Mr. Chairman, I intend to request that when the House adjourn to-night it adjourn to meet at 10 o'clock to-morrow morning. It is the expectation that the committee will sit until about 2 o'clock and then rise, and then the House will adjourn.

The Clerk read as follows:

Shelbyville, Tenn., post office: For commencement of building under present limit, \$1,000.

Mr. HOUSTON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 19, line 10, amend by striking out the words "one thousand dollars" and inserting in lieu thereof the words "ten thousand dollars."

Mr. PAGE. If the gentleman will let me call his attention to the fact that instead of striking out "\$1,000" in the item for Shelbyville, Tenn., he is striking it out in the item of Searcy, Ark.

Mr. HOUSTON. Mr. Chairman, my amendment should apply to page 19, line 12.

The CHAIRMAN. The amendment will be modified in accordance therewith.

Mr. HOUSTON. Now, Mr. Chairman, I do not care to say anything further in regard to this matter. I have already set forth the reasons why I think it ought to be adopted, and I do not wish to take up further time of the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For the enlargement of the power plant, including additional boilers, settings, connections and appliances, tunnels, and ducts, complete, to equip the same for supplying heat and steam to the present buildings and to the new building heretofore authorized to be constructed for said bureau, \$50,000.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. This seems to be an appropriation for a power plant in the new Bureau of Engraving and Printing. I want to ask the gentleman from New York if this appropriation is made without regard to the question of a central heating plant, about which the committee had an investigation?

Mr. FITZGERALD. This is needed in any event.

Mr. CANNON. Whether the central heating plant is agreed upon or not?

Mr. FITZGERALD. If a central heating plant is agreed upon, this money will be expended for boilers that will be utilized in that plant. If it be not agreed upon, the boilers are needed in any event. Mr. Chairman, I ask unanimous consent that the committee have the right later, if it so desires, to offer an amendment in relation to the proposed plant mentioned by the gentleman from Illinois. The Treasury Department submitted a plan for the construction of a central heating plant designed to take care of certain public buildings.

All of the information desired was not in the possession of the committee at the time this bill was reported, and therefore it had not been able to determine what would be the most desirable thing to do, but before the bill is concluded it is possible that the committee will reach some definite agreement. I ask unanimous consent that we have the right to offer it at this point if the amendment should be thought desirable.

Mr. MANN. The gentleman means to ask unanimous consent to have the right to recur for the purpose of offering an amendment.

Mr. FITZGERALD. Yes; I do not mean that the point of order should be waived.

Mr. CANNON. In that same connection, at the end of line 2, page 22, the central heating plant would be in order, and I take it the gentleman desires leave to return to that point.

Mr. FITZGERALD. Line 21, page 21, would be a more proper place, I think, directly after the enlargement of the present power plant.

Mr. CANNON. I think the gentleman is correct. I want to say in passing that I am inclined to think, from what little knowledge I have about it, that the central heating plant ought to be provided for from a standpoint of economy and safety.

Mr. FITZGERALD. I want to say, and I think everybody is in accord with this statement, that the matter is one of great importance, and, like a number of other very important matters that should be considered at this time, the tremendous amount of work that devolved upon the committee made it impossible to reach an intelligent conclusion on several matters. We hope before the bill is concluded that the committee may be able to present a plan for the action of the House. I ask unanimous consent that we may return to the paragraph beginning with line 17, page 21, for the purpose of offering an amendment for a central heating plant.

The CHAIRMAN. Without objection, the consent will be granted.

There was no objection.

The Clerk read as follows:

So much of the urgent deficiency act approved August 5, 1909, as authorizes the Secretary of the Treasury to procure from certain engineers plans and specifications for the mechanical and electrical equipment of the new Bureau of Engraving and Printing Building is repealed.

Mr. MANN. Mr. Chairman, I reserve the point of order on that. Has the power proposed to be repealed been exercised at all?

Mr. FITZGERALD. To what does the gentleman refer?

Mr. MANN. The bottom paragraph on page 21.

Mr. FITZGERALD. It was. A contract was made with certain engineers—

Mr. MANN. All I wanted to know is, whether this affects in any way any outstanding contract or arrangement.

Mr. FITZGERALD. No. I will state briefly the facts, because I think they ought to be in the RECORD. A contract was made with a firm of engineers to plan and design the mechanical equipment for this building. The compensation was fixed, my recollection is, at 3½ per cent upon the cost, with a provision that the compensation would not be in excess of \$12,000. After the plans were about 85 or 90 per cent completed, because of some rearrangement of the building, the engineers were requested to suspend work, and then certain modifications were requested. They submitted plans based upon this contract, aggregating in cost \$22,000 or \$23,000. They were actually paid \$19,000 for the incomplete plans, while under their contract they should not be paid in excess of \$12,000. They have submitted in addition claims aggregating \$6,000 more. The department is having the plans prepared in the Supervising Architect's Office, and it requested that the law be repealed, so as to end that situation and not make it possible to have any recurrence under it. This provision is put in at the request of the department, and in the belief of everybody who has looked into it the provision should be repealed. The same is true with regard to the provision in regard to vaults.

Mr. MANN. Mr. Chairman, I withdraw the point of order. The Clerk read as follows:

For rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto at Winston Salem, N. C., \$7,000.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last word. I desire to make an inquiry about the paragraph on page 22, line 3, being the appropriation for the continuation of the work on the Washington Post Office Building. I wish to ask the gentleman in charge of the bill if it is not a fact that the construction of the Post Office Building in Washington is being carried on during Sunday?

Mr. FITZGERALD. I have no information about the matter.

Mr. AUSTIN. I have passed by there several times on Sunday and have seen the laboring men engaged on that building on Sunday, and I do not know of any other instance in the United States where a contractor is using his force on the Sabbath day in the construction of a Government building. If there is any way to prevent it, I think we ought to do it.

Mr. FITZGERALD. Mr. Chairman, I do not think a contractor would work on a building on Sunday unless it was because of some extraordinary conditions. Work that is done on Sunday costs very much more than a contractor cares to pay. He pays either time and a half or double time to the men employed on Sunday. It might be because of some extraordinary and peculiar condition. I think that would be the only reason that would induce him to do it.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. COOPER. I do not know whether my information is authentic or not, but I was told that they had to overcome some very difficult features about the foundation, something in the way of quicksand, or something of that kind, which necessitated an extra amount of work.

Mr. FITZGERALD. Mr. Chairman, I am informed that at present they are engaged on the excavation work, and the conditions are such that it makes it very important that that part of the work be completed as quickly as possible.

Mr. AUSTIN. I have passed there on several Sundays and, of course, that place is inclosed with a high fence, and you can not tell what the workmen are doing. Of course, one knows they are working there.

Mr. FITZGERALD. I think the reason is because of the hazardous conditions that result during this period of excavation. It is very expensive for a contractor to do work on Sunday, and unless there is a very peculiar condition there is great difficulty in getting one to do work on Sunday.

Mr. AUSTIN. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For repairs and preservation of public buildings: Repairs and preservation of customhouses, courthouses, and post offices, quarantine stations and marine hospitals, buildings and wharf at Sitka, Alaska, buildings not reserved by the vendors on sites acquired for buildings or the enlargement of buildings, and other public buildings and the grounds

thereof, including necessary wire screens, under the control of the Treasury Department, exclusive of personal services, except for work done by contract, \$625,000: *Provided*, That of this amount not exceeding \$100,000 may be used for marine hospitals and quarantine stations, including wire screens for same, and not exceeding \$12,000 for the Treasury, Butler, and Winder Buildings, at Washington, D. C.

Mr. CANNON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 23, line 18, strike out the figures "\$625" and insert in lieu thereof "\$650."

Mr. CANNON. Mr. Chairman, the estimate is for \$650. The reason assigned for an increase of the estimate over the appropriation for the current year is that there are 50 or 60 more buildings to be cared for. It seems to me the increase ought to be given.

Mr. FITZGERALD. I simply desire to call attention to the fact that for the current fiscal year there was no increase over the appropriation for this item whatever. The appropriation was \$600,000 for 1911 and \$600,000 for 1912.

Mr. CANNON. Yes; but the gentleman is aware that there is an increase of many buildings for this current year and an increase of over 100 buildings to be finished for the coming year.

Mr. FITZGERALD. That is very true. The Supervising Architect asked \$50,000 additional for repairs to public buildings, but because they are new buildings and are coming into commission the committee reached the conclusion that in view of the character of these buildings—that they were new—that it would be practically impossible to spend any money on repairs in that first year if they were properly constructed, and that an increase of \$25,000 instead of \$50,000 in the appropriation would probably be adequate.

In the estimates for 1911 the Supervising Architect asked for \$700,000, although the appropriations for 1900 were \$550,000. The committee that year increased the appropriation only \$50,000 and refused to give \$100,000 of the amount requested. I think that this time the committee has been fairly considerate, in view of the experience we have had, in increasing this appropriation \$25,000.

Mr. CANNON. Now, the gentleman will notice it is not only the buildings, but the grounds, for the preservation of all the buildings, both the new and old. I simply desired to call the attention of the gentleman to it. We either appropriated too much heretofore or are appropriating too little now.

Mr. FITZGERALD. The committee endeavored to give that sum which would enable the Supervising Architect's Office to exercise some care in keeping these buildings in proper repair.

Mr. MADDEN. I suppose the gentleman should be aware, if he is not, that it frequently happens that the first year's building services requires more repairs than it does five years after, because of the fact the material in the building, doors, window sills, and so forth, shrink and have to be fitted up.

Mr. FITZGERALD. Yes; and there is another element to be considered. It is very seldom that when a public building is completed the appropriation is entirely exhausted, and those things that are paid the first year are usually charged to the construction account.

Mr. MADDEN. If they are, that is all right.

Mr. FITZGERALD. And paid for out of the original appropriation.

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Mechanical equipment for public buildings: For heating, hoisting, plumbing, gas piping, ventilating and refrigerating apparatus, electric-light plants, vacuum-cleaning systems, interior pneumatic-tube, conduit, wiring, call-bell, and signal systems and repairs to the same, for all public buildings, including buildings not reserved by the vendors on sites acquired for buildings or the enlargement of buildings under the control of the Treasury Department, exclusive of personal services, except for work done by contract, and including not exceeding \$40,000 for marine hospitals and quarantine stations, and not exceeding \$9,000 for the Treasury, Butler, and Winder Buildings, at Washington, D. C., and including not exceeding \$10,000 for maintenance, changes in and repairs of pneumatic-tube system between the appraiser's warehouse at Greenwich, Christopher, Washington, and Barrow Streets and the new customhouse in Bowling Green, Borough of Manhattan, in the city of New York, including repairs to the street pavement and subsurface necessarily incident to or resulting from such maintenance, changes, or repairs, \$440,000.

Mr. MADDEN. Mr. Chairman, I reserve the point of order on the language in line 16, page 24:

Including repairs to the street pavement and subsurface necessarily incident to or resulting from such maintenance and repairs, \$440,000.

Mr. FITZGERALD. Mr. Chairman, I think I can explain to the gentleman why that language is put in. It is not new. Under the law of the State of New York the city of New York can not grant franchises in perpetuity in the city streets for any

purpose. Some years ago the Federal Government desired to construct a pneumatic-tube service between the customhouse in the city of New York—

Mr. MADDEN. And this is to repair that?

Mr. FITZGERALD (continuing). To the appraisers' stores. This is to repair the street paving when disturbed to repair the tube.

Mr. MADDEN. Mr. Chairman, I withdraw the point of order. The Clerk read as follows:

General expenses of public buildings: To enable the Secretary of the Treasury to execute and give effect to the provisions of section 6 of the act of May 30, 1908 (35 Stat., p. 537, pt. 1): For additional salary of \$1,000 for the Supervising Architect of the Treasury for the fiscal year 1913, for the specific salaries for the personal services in the office of the Supervising Architect of the Treasury, set forth under said office in the legislative, executive, and judicial appropriation act for the fiscal year 1913 (not exceeding \$142,920), and for compensation of principal draftsman, foremen draftsmen, architectural draftsmen, and apprentice draftsmen, at rates of pay from \$480 to \$2,500 per annum; for compensation of structural engineers and draftsmen, at rates of pay from \$840 to \$2,200 per annum; for compensation of mechanical, sanitary, electrical, heating and ventilating, and illuminating engineers, and draftsmen, at rates of pay from \$1,200 to \$2,400 per annum; for compensation of computers and estimators, at rates of pay from \$1,600 to \$2,200 per annum: *Provided*, That the expenditures for compensation under all the foregoing classes for the fiscal year ending June 30, 1913, shall not exceed \$317,020; for compensation of supervising superintendents, superintendents, and junior superintendents of construction, at rates of pay from \$1,600 to \$2,900 per annum, but in no case exceeding \$8 per day, Sundays included: *Provided*, That the expenditures on this account for the fiscal year ending June 30, 1913, shall not exceed \$245,000; for expenses of superintendence, including expenses of all inspectors and other officers and employees on duty or detailed in connection with work on public buildings and the furnishing and equipment thereof under orders from the Treasury Department; office rent and expenses of superintendents, including temporary stenographic and other assistance incident to the preparation of reports and the care of public property, etc.; for cost of advertising; for office supplies, including drafting materials, specially prepared paper, typewriting machines and exchange of same, furniture, carpets, and office equipment, stationery telephone service, and such other articles and supplies as the Secretary of the Treasury may deem necessary and specially order or approve for the use of the office of the Supervising Architect, exclusive of heat, light, janitor service, awnings, curtains, or any expenses for the general maintenance of the Treasury Building, but including not exceeding \$1,000 for books of reference, technical periodicals, and journals, subscriptions to which may be paid in advance, and also for contingencies of every kind and description, traveling expenses of site agents, recording deeds and other evidences of title, photographic instruments, chemicals, plates, and photographic materials, and such other minor and incidental expenses not enumerated, connected solely with work on public buildings and the acquisition of sites, and the administrative work connected with the annual appropriations under the Supervising Architect's office, as the Secretary of the Treasury may deem necessary and specially order or approve, not including surveys, plaster models, progress photographs, test pit borings, or mill and shop inspections; in all, for the foregoing objects for general expenses of public buildings, \$656,920.

Mr. MANN. Mr. Chairman, I move to strike out the last word. First I ask unanimous consent to change the spelling of the word "engineers," at the bottom of page 25, line 25.

The CHAIRMAN. Without objection, the change will be made.

There was no objection.

Mr. MANN. I would like to ask what about this language, on page 25, line 15, and so forth, in reference to the specific salaries for personal services carried in the legislative bill. How do you make an appropriation in this bill for services carried in the legislative bill?

Mr. FITZGERALD. We have picked up in the legislative bill salaries which had heretofore been paid out of the lump appropriation aggregating \$142,920, and in the preparation of the legislative bill we picked them up; because of certain contemplated rearrangements which it was desired for the improvement of the office the bill did not carry the money to pay them, but it was left to pay them out of the appropriations carried in this bill. Of the appropriation of \$659,920, \$142,920 is to pay the compensation of places which have now been put upon the statutory rolls in the legislative bill.

Mr. MANN. Why should not the item be carried in the legislative bill? It is a very cumbersome way to carry part of the salaries in one bill and carry part of the salaries in another bill.

Mr. FITZGERALD. My understanding is, as I recall it, not having the detail information as to the legislative bill as of this one, but, as the legislative subcommittee understood, a certain scheme of reorganization was submitted to the committee in the sundry civil bill. The two bills had to be considered together to determine whether all the recommendations would be adopted before this amount was transferred out of this bill into the other.

Mr. MANN. I do not remember the particular item in the legislative bill. It did not attract my attention. But did we provide in the legislative bill for certain officials, and that that was an appropriation for these items?

Mr. FITZGERALD. There was a provision, I am informed, that the compensation of these officials that were taken up in the legislative bill should be paid out of the amount in this bill,

Mr. MANN. I have no doubt the gentleman is correct. I think there was an item in the legislative bill making salaries to be paid out of a percentage to be taken out of appropriations for public-building bills.

Mr. FITZGERALD. I beg the gentleman's pardon.

Mr. MANN. I thought there was an item in the legislative bill to make appropriations for places to be taken out of appropriations for public buildings.

Mr. FITZGERALD. Let me state to the gentleman what the fact is. The Treasury Department submitted a plan for the segregation of personal services from other work, and a large number of employees who are practically permanent employees are being carried in this lump appropriation. The Treasury Department worked out a scheme that everybody thought was desirable, but that could not be determined until this bill was made up.

Mr. MANN. Is it my understanding that this item carries the appropriation for the Supervising Architect's office?

Mr. FITZGERALD. Not all of it. The legislative bill—

Mr. MANN. I am not speaking now of that item, but in the main this item in the bill carries the appropriation under which plans for public buildings are prepared and public buildings are erected.

Mr. FITZGERALD. That is true.

Mr. MANN. I notice the item is decreased \$150,000 from the current law.

Mr. FITZGERALD. The net increase is \$31,920. The appropriation for 1912 in this item is \$800,000. This carries \$656,000, \$514,000 to be expended under this language and \$142,000 to pay the salaries in the legislative bill; and \$175,000, which makes a reduction, is transferred into other items, because it more properly belongs to them.

Mr. MANN. That is what I wanted to know—whether you are reducing the amount of appropriation for the maintenance of the Supervising Architect's Office.

Mr. FITZGERALD. We have in these items given the estimate, and the net increase in this item for the purposes for which this appropriation is made is \$31,920.

Mr. MANN. I have no doubt the gentleman is right, but he would have to make a chart for reading this paragraph.

Mr. FITZGERALD. Let me call attention to this fact: The following item contains the appropriation for the payment of compensation under the Tarsney Act. In fact, formerly it had been included in this particular item, and the department itself believed it ought to be taken out because it was utterly impossible for them to make an intelligent statement of the expenditures under this item.

Mr. MANN. I will be frank with the gentleman. What I want to ascertain is this: Congress wants to construct some public buildings. The Secretary of the Treasury is not quite as enthusiastic upon the subject as Members of Congress, and I do not know but that I largely agree with the Secretary. The Supervising Architect's Office, which is under the Secretary of the Treasury, has not been very overly enthusiastic, probably because it is controlled by the Secretary. Now, I understand you have given the amount of the estimate practically for this item, but did they reduce the estimate in order to cut down the number of public buildings that can be constructed?

Mr. FITZGERALD. No; we carry more money this year than last.

Mr. MANN. It has been stated here several times that the Secretary of the Treasury arbitrarily directed the Supervising Architect's Office, without any reduction in force, to reduce the number of buildings from 15 a month, as theretofore, to 10 a month hereafter.

Now, I would like to know whether in connection with any such proposition, if that be correct, they have for years proposed to cut off the appropriations for services in the Supervising Architect's Office, so that they could more easily claim hereafter a reduction in the number of buildings? I ask the question because I understand that the Secretary of the Treasury is not in favor of constructing buildings so fast, and that the Supervising Architect's Office has to yield to the Secretary of the Treasury; and I know that the Committee on Appropriations is not in favor of constructing buildings so fast; and hence I would like to know whether, through those forms of legislation that are followed, they have really endeavored to cut off the number of buildings that can be constructed.

Mr. FITZGERALD. I will state to the gentleman that in view of the temper of the House, the House would not tolerate any reduction in the estimate necessary for the conduct of the business of the Supervising Architect's Office at this time, and the committee recommended the appropriation which the Treasury Department submitted for the purpose of conducting the

business of the Supervising Architect's Office. Out of this particular appropriation heretofore there have been paid the fees accruing under the Tarsney Act, and the Treasury Department requested us to separate those fees from the other appropriation, so that they could not take money intended to be used when the estimate was made for services in the Supervising Architect's Office and apply it to the payment of fees earned under the Tarsney Act and thus reduce the amount available for use in the Supervising Architect's Office.

Mr. AUSTIN. You did a very wise thing in doing that.

Mr. MANN. My impression was that under the Tarsney Act the fees of the architects were included in the appropriation for the building. I know that was the case when they constructed our building in Chicago.

Mr. FITZGERALD. Complaint was made that where it was believed that a certain amount of money was available for a building sometimes large sums were taken out of that fund and paid to the architects. The Committee on Public Buildings and Grounds, I believe, reported a bill a few years ago providing that such fees must be appropriated for specifically.

Mr. FOSTER. Do I understand, then, that to this appropriation of \$656,920 there is also to be added this sum of \$175,000, making a little more than \$800,000?

Mr. FITZGERALD. Yes. It makes \$831,920, more than for the current year.

Mr. AUSTIN. And an increase of \$31,000 and something on the outside for these buildings scattered all over the country?

Mr. FITZGERALD. Yes.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. I do.

Mr. COOPER. I have been somewhat interested in the statement made by the gentleman from New York [Mr. FITZGERALD] and that by the gentleman from Illinois [Mr. MANN], about which they both seemed to agree, that the Secretary of the Treasury was opposed to the construction of certain buildings.

Mr. FITZGERALD. I do not agree to that statement.

Mr. MANN. I beg the gentleman's pardon. I said that the statement was made a number of times on the floor that the Secretary had issued an order.

Mr. FITZGERALD. The Secretary of the Treasury decided on a building program that would take about \$13,000,000 a year. When inquiries were made regarding it by the Committee on Public Buildings and Grounds the Secretary stated that he had arranged the work of the Supervising Architect's Office on that basis, because, in his opinion, the condition of the Government finances would not have justified a larger expenditure in any one year for construction purposes.

Mr. COOPER. Then his opposition did not relate to any particular building?

Mr. FITZGERALD. No; he has never expressed his opposition to any particular building. I believe, although I could pick out particular buildings which he would be compelled, I think, to admit were perhaps ill advised.

Mr. COOPER. Now that the gentleman is intimating something, I would like to have him continue along that line. What building or buildings does he refer to?

Mr. FITZGERALD. Let me suggest to the gentleman from Wisconsin that he obtain a copy of this document which I printed in the Record, which was in reply to several letters from me addressed to the Secretary of the Treasury in January, this year, asking for certain information about various public buildings. He submitted a statement which shows the names of the city, the title of the building, the limit of cost, the population, the postal revenues, the services of the United States which would be accommodated in the building, the annual cost of maintenance of the building when completed, and the present cost of obtaining accommodations in the various communities where the buildings are to be located.

That is a matter upon which each gentleman can draw his own conclusions.

Mr. COOPER. Is that the document from which the information was derived about Sundance?

Mr. FITZGERALD. No; it is not. There is no building authorized at Sundance, unless it has been done while I have not been about.

Mr. MANN. The building at Sundance is a dream.

The Clerk, resuming the reading of the bill, read to and including page 28, line 14.

Mr. FITZGERALD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill

(H. R. 25069) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes, and had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives, by Mr. Latta, one of his secretaries, who also informed the House that the President had approved and signed bills of the following titles:

On June 4, 1912:

H. R. 16690. An act for the relief of scientific institutions or colleges of learning having violated sections 3297 and 3297a of the Revised Statutes and the regulations thereunder; and

H. R. 16661. An act to relinquish, release, remise, and quit-claim all right, title, and interest of the United States of America in and to all the lands held under claim or color of title by individuals or private ownership or municipal ownership situated in the State of Alabama which were reserved, retained, or set apart to or for the Creek Tribe or Nation of Indians under or by virtue of the treaty entered into between the United States of America and the Creek Tribe or Nation of Indians on March 24, 1832, and under and by virtue of the treaty between the United States of America and the Creek Tribe or Nation of Indians of the 9th day of August, 1814.

On June 5, 1912:

H. R. 21478. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 21290. An act to amend an act to authorize a bridge at or near Council Bluffs, Iowa, approved February 1, 1908, as amended.

On June 6, 1912:

H. R. 20111. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

INTERNATIONAL EXPOSITION AT TURIN, ITALY, IN 1911 (H. DOC. NO. 821).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, ordered to be printed and referred to the Committee on Expenditures in the State Department:

To the House of Representatives:

I transmit herewith a statement by the Secretary of State of expenditures on account of the International Exposition at Turin, Italy, in 1911, as required by law.

WM. H. TAFT.

THE WHITE HOUSE, June 7, 1912.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SLAYDEN, for five days, on account of important business.

HOUR OF MEETING TO-MORROW.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock to-morrow morning.

The SPEAKER. The gentleman from New York asks unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock a. m. to-morrow. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 25 minutes p. m.) the House adjourned until to-morrow, Saturday, June 8, 1912, at 10 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MARTIN of South Dakota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 5882) to extend the time for the completion of a bridge across the Missouri River at or near Yankton, S. Dak., by the Winnipeg, Yankton & Gulf Railroad Co., reported the same without amendment, accompanied by a report (No. 852), which said bill and report were referred to the House Calendar.

Mr. GOULD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 22526) to

amend section 8 of an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, reported the same with amendment, accompanied by a report (No. 850), which said bill and report were referred to the House Calendar.

Mr. BURNETT, from the Committee on Immigration and Naturalization, to which was referred the bill (S. 3175) to regulate the immigration of aliens to and the residence of aliens in the United States, reported the same with amendment, accompanied by a report (No. 851), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 25109) providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees, reported the same without amendment, accompanied by a report (No. 853), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM, from the Committee on the Judiciary, to which was referred the bill (H. R. 25106) to incorporate the Chamber of Commerce of the United States of America, reported the same without amendment, accompanied by a report (No. 854), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. ESCH: A bill (H. R. 25192) to amend an act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States, approved June 29, 1906, as amended in section 4 by the act approved June 25, 1910; to the Committee on Immigration and Naturalization.

By Mr. GRIEST: A bill (H. R. 25193) to provide for the perpetuation of Memorial Day; to the Committee on Military Affairs.

By Mr. FERGUSON: A bill (H. R. 25194) to amend section 13 of the act of June 20, 1910, being "An act to enable the people of New Mexico to form a State government," etc., and providing for two judicial districts in New Mexico; to the Committee on the Judiciary.

By Mr. GRIEST: A bill (H. R. 25195) to amend section 801 of an act entitled "An act to establish a code of laws for the District of Columbia," with reference to punishment for murder; to the Committee on the District of Columbia.

By Mr. NELSON: A bill (H. R. 25196) to provide for the erection of a Federal building at Madison, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 25197) providing for the purchase of a site and erection of a suitable public building at Chandler, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 25198) to provide for the preservation of the Tumacacori Mission in Santa Cruz County, Ariz., and appropriating \$25,000 in pursuance thereof; to the Committee on Appropriations.

By Mr. OLMSTED: A bill (H. R. 25199) to incorporate the Giesboro Railway Co.; to the Committee on the District of Columbia.

By Mr. CLAYTON: A bill (H. R. 25200) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898;" to the Committee on the Judiciary.

By Mr. MOTT: Memorial of the Senate and House of Representatives of the State of New Mexico, favoring the creation of two new judicial circuits; to the Committee on the Judiciary.

Also, memorial of the Senate and House of Representatives of the State of New Mexico, to allot and open the Navajo Indian and other reservations to settlers; to the Committee on Indian Affairs.

Also, memorial of the Senate and House of Representatives of the State of New Mexico, favoring the amendment of Schedule K of the tariff bill; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 25201) for the adjudication and determination of the claims arising under the joint resolution of July 14, 1870, authorizing the Postmaster General to

continue in use in the postal service Marcus P. Norton's combined postmarking and stamp-canceling hand-stamp patents; to the Committee on the Post Office and Post Roads.

By Mr. BROWNING: A bill (H. R. 25202) for the relief of Augustus Poole; to the Committee on Military Affairs.

By Mr. CAMPBELL: A bill (H. R. 25203) granting a pension to Charles E. Ingels; to the Committee on Pensions.

By Mr. CATLIN: A bill (H. R. 25204) for the relief of Edward Dodsworth; to the Committee on Military Affairs.

By Mr. CURLEY: A bill (H. R. 25205) providing compensation to Alfred Winsor & Son for injury to schooner *Lotus* caused by revenue-cutter *Gresham*; to the Committee on Claims.

By Mr. GRAY: A bill (H. R. 25206) granting a pension to Nancy C. Brooks; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 25207) granting a pension to James Aitken; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25208) granting an increase of pension to Abram A. Engel; to the Committee on Pensions.

Also, a bill (H. R. 25209) to correct the military record of Alonzo Lewis; to the Committee on Military Affairs.

Also, a bill (H. R. 25210) for camp grounds for the Order of Owls; to the Committee on the Public Lands.

Also, a bill (H. R. 25211) to establish a mining experiment station at Grants Pass, in the State of Oregon; to the Committee on Mines and Mining.

By Mr. LINTHICUM: A bill (H. R. 25212) granting a pension to Mary E. O'Hare; to the Committee on Pensions.

Also, a bill (H. R. 25213) authorizing the Secretary of War to donate to the city of Baltimore, Md., one small bronze cannon with its carriage and six cannon balls; to the Committee on Military Affairs.

By Mr. MOON of Pennsylvania: A bill (H. R. 25214) for the relief of Lillie B. Randell; to the Committee on Claims.

Also, a bill (H. R. 25215) for the relief of Letitia W. Garrison; to the Committee on Claims.

By Mr. MORGAN: A bill (H. R. 25216) granting a pension to Addie McGinnis; to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 25217) granting an increase of pension to John K. Longnecker; to the Committee on Invalid Pensions.

By Mr. PATTON of Pennsylvania: A bill (H. R. 25218) granting a pension to Charles L. Welteroth; to the Committee on Pensions.

By Mr. POWERS: A bill (H. R. 25219) to remove the charge of desertion from the military record of James B. Partin; to the Committee on Military Affairs.

By Mr. SHERLEY: A bill (H. R. 25220) granting a pension to Sallie Arlington; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 25221) for the relief of Charles H. Potter; to the Committee on Military Affairs.

By Mr. BERGER: Resolution (H. Res. 576) relative to the alleged official misconduct of Cornelius H. Hanford; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of St. Joseph Society, No. 290, Chicago, Ill.; St. Joseph Society, No. 504, Cleveland, Ohio; and St. Hedrige Society, No. 501, Lakeville, Pa., protesting against the passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also (by request), petition of the Amalgamated Association of Iron, Steel, and Tin Workers of North America, protesting against the passage of the workmen's compensation bill; to the Committee on the Judiciary.

Also (by request), petition of the delegation representing the Creek, Choctaw, Chickasaw, and Cherokee Indians, of Hanna, Okla., relative to protection for their oil and coal lands, etc.; to the Committee on Indian Affairs.

Also (by request), petitions of societies of the Polish Roman Catholic Union of America of the States of New York, Indiana, Illinois, Ohio, Michigan, and of the Amalgamated Ladies' Garment Cutters Association, Local No. 10, of New York City, and the Polish United Societies and Political Clubs, of South Philadelphia, against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also (by request), petition of the provincial government of Pampanga, San Fernando, P. I., against passage of the free-sugar bill; to the Committee on Ways and Means.

By Mr. AKIN of New York: Petition of the Southern Shoe Retailers' Association, of Memphis, Tenn., against passage of the Campbell bill to compel manufacturers to mark goods with own name; to the Committee on the Judiciary.

Also, petition of St. Joseph Society, No. 59, of Amsterdam, N. Y., against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the State Council of Pennsylvania, Order of Independent Americans, favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. BARNHART: Petition of Sts. Peter and Paul's Society, No. 234, South Bend, Ind., protesting against passage of House bill 22527 for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. BURKE of Wisconsin: Papers to accompany bill granting a pension to Sarah E. Coleman; to the Committee on Invalid Pensions.

Also, petition of Mineral Point (Wis.) Branch of the Woman's Auxiliary to the Board of Missions of the Protestant Episcopal Church, asking for the passage of a bill for the relief of the Alaska Indians; to the Committee on Indian Affairs.

By Mr. ESCH: Petition of the Southern Shoe Retailers' Association of Memphis, Tenn., against passage of the Campbell bill, which compels all goods to be marked with the manufacturer's name; to the Committee on Interstate and Foreign Commerce.

By Mr. FORNES: Resolutions of the Manila Merchants' Association of Manila, P. I., favoring sale of the Philippine friar lands; to the Committee on Insular Affairs.

Also, petition of Dr. M. Spiegel & Sons, of Albany, N. Y., against passage of the Richardson bill, relative to pure drugs, etc.; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Workmen's Sick and Death Benefit Fund of the United States of America, against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Southern Shoe Retailers' Association, against passage of the Campbell bill, to compel manufacturers to place own name on their goods; to the Committee on the Judiciary.

Also, petition of the National Civil Service Reform League of New York City, against clause in House bill 24023, for five-year tenure of office for civil-service employees; to the Committee on Appropriations.

Also, petition of the High School Teachers' Association of New York City, favoring passage of the Page bill for Federal aid to vocational education, known as Senate bill 3; to the Committee on Agriculture.

By Mr. FULLER: Petitions of John English, of Gallon, Ohio, and of E. T. Clark, of Chicago, Ill., favoring passage of House bill 1339, to grant increase of pension to certain soldiers of Civil War who lost an arm or a leg; to the Committee on Invalid Pensions.

Also, petition of the Workmen's Sick and Death Benefit Fund of the United States of America, against passage of the Root amendment for deportation of aliens; to the Committee on Immigration and Naturalization.

By Mr. GARDNER of Massachusetts: Petition of 16,783 residents of Maine, Massachusetts, and Rhode Island, favoring the passage of House bill 16457, forbidding the landing of fish caught in otter or beam trawlers; to the Committee on the Merchant Marine and Fisheries.

By Mr. HENRY of Connecticut: Petition of Loyalty Council, No. 52, Daughters of Liberty, of Somers, Conn., favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. LEE of Pennsylvania: Petition of citizens of Shenandoah, Pa., against the Burton-Littleton bill, to celebrate 100 years of peace with England; to the Committee on Appropriations.

Also, petition of the Chamber of Commerce of Pittsburgh, Pa., against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. LINDSAY: Petition of the Southern Shoe Retailers' Association, of Memphis, Tenn., against passage of the Campbell bill, which is to compel all manufacturers to mark goods with own name; to the Committee on the Judiciary.

Also, petition of Maximillian Nands, of New York City, against passage of bills amending the patent laws; to the Committee on Patents.

By Mr. MOTT: Petition of the Southern Shoe Retailers' Association, Atlanta, Ga., protesting against bill requiring manufacturer's brand on all goods; to the Committee on the Judiciary.

By Mr. NEEDHAM: Petition of citizens of California favoring giving the Interstate Commerce Commission further power toward controlling the regulation of express rates and classification; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of California, protesting against the passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. REILLY: Resolutions of the Southern Shoe Retailers' Convention at Atlanta, Ga., against passage of the Campbell bill, to compel manufacturers to mark goods with own name; to the Committee on the Judiciary.

Also, petition of citizens of Nawgatuck, Conn., against appropriation to celebrate 100 years of peace with England; to the Committee on Appropriations.

By Mr. SLAYDEN: Petition of citizens of San Antonio, Tex., against passage of the Owen bill, to create a national department of health; to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of Peter M. Reilly, of New York City, against use of the trading coupon; to the Committee on Ways and Means.

Also, petition of the Trenton Chamber of Commerce, of Trenton, N. J., against passage of bill providing for building of a bridge over the Delaware River; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Board of Trade of Erie, Pa., favoring passage of bill providing suitable homes for our representatives in foreign countries; to the Committee on Foreign Affairs.

Also, petition of the Wireless Association of Pennsylvania, of Philadelphia, Pa., against passage of House bill 15357, to regulate radio communication; to the Committee on the Merchant Marine and Fisheries.

By Mr. TALCOTT of New York: Petitions of Baruch Spurga Lodge, No. 208, Independent Order B'rith Abraham, Utica, N. Y.; United Hebrew Trades of New York; and United Polish Societies, protesting against passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of Brown University Teachers' Association, favoring national aid for vocational education; to the Committee on Agriculture.

By Mr. VREELAND: Petition of retail merchants of Andover, N. Y., protesting against bills to abolish fixed resale prices on patent goods; to the Committee on Patents.

SENATE.

SATURDAY, June 8, 1912.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, we gratefully acknowledge the Providence which brings us to this day when we commemorate the discovery of this continent. We thank Thee that Thou hast put it into the heart of this people to remember in enduring stone him who, like one of old, went out not knowing whither he went. Our fathers have told us what works Thou didst in the days of old, when they were but few in number and strangers in the land. And now Thou hast increased Thy people mightily and hast strengthened us on every side. Thou hast given us to sow beside many waters in a land that reacheth afar and Thou hast made the desolate spots to be inhabited.

Bless, we pray Thee, the land which Thou hast given unto us. Grant that Salvation may be its walls and bulwarks and that its gates may be Praise. Make Thou our officers Peace and our rulers Righteousness. Extend unto us the peace that floweth as a river, enriching all our borders with honest industry and with honorable toil. Deliver us from invasion from without and from oppression from within. Defend our liberties and uphold our free institutions. Upon the altar of the hearts of this people kindle into living flame the fire of patriotic devotion, that this country may indeed be the land of the free, the home of the brave.

So bless us, we pray Thee, our heavenly Father, and keep us in Thy love and in Thy fear now and for evermore. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. LODGE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

LANDING GUNS IN THE NAVY (S. DOC. NO. 784).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 5th instant, certain information relative to the purchase, test, and use of landing guns in the Navy since March 1, 1909, which was ordered to lie on the table and be printed.

HUDSON RIVER IMPROVEMENTS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of May 29, 1912, certain information relative to the attitude and action of the State of New York re-